

Mr. DOLLIVER. The Senator from Georgia was speaking some time ago of the discrimination in the free return of bags that had been used in the conveyance of wheat in our exports of wheat as against the free importation of cotton bagging. I call his attention to the fact that the cotton bagging seems to return to the United States free, just as other bagging does, except that it happens to come back as paper stock and waste of jute fit for paper stock, and commonly used as such. So that any additional legislation is unnecessary, as they are practically on the same basis now.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The VICE-PRESIDENT. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 651, plumbago.

Mr. HEYBURN. I should like to inquire if the language of paragraph 641 as to paper stock would not include wool?

Mr. ALDRICH. Oh, no.

Mr. HEYBURN. Well, it reads "paper stock, crude, of every description."

Mr. ALDRICH. Oh, no; it does not include that.

Mr. FLINT. "Paper stock * * * other than wool" is the language used.

The VICE-PRESIDENT. The question is on agreeing to paragraph 651.

The paragraph was agreed to.

The VICE-PRESIDENT. The next paragraph passed over will be stated.

The SECRETARY. Paragraph 652, potash, crude, or "black salts." In line 7, after the word "crude," the committee propose to insert "or refined."

Mr. KEAN. I hope that amendment will not be agreed to. It puts refined salt-peter on the free list.

Mr. ALDRICH. Very well; I withdraw the amendment.

The VICE-PRESIDENT. The amendment is withdrawn. In the absence of objection, the paragraph is agreed to.

Mr. CLARK of Wyoming. I desire to ask that this paragraph be passed over. I have an amendment that I think I shall want to propose to it, but I do not desire to do so at present.

Mr. KEAN. I have no objection to the paragraph being passed over if the words "or refined" are withdrawn, and that has already been done.

The VICE-PRESIDENT. Paragraph 652 will be passed over, with the committee amendment disagreed to.

Mr. ALDRICH. It is almost 11 o'clock, and I think we might as well conclude our labors. I therefore move that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 12, 1909, at 10.30 o'clock a. m.

SENATE.

SATURDAY, June 12, 1909.

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, D. D., of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. SCOTT presented a memorial of sundry citizens of Wheeling, W. Va., remonstrating against an increase of the duty on print paper and wood pulp, as proposed in the so-called "Payne tariff bill," which was ordered to lie on the table.

Mr. OLIVER presented petitions of sundry citizens of Lawrenceville and Armagh, in the State of Pennsylvania, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented memorials of compositors, stereotypers, pressmen, and mailers employed by the Binghamton Press, of Binghamton, N. Y., remonstrating against any change in the rates on pulp and paper as fixed by the House bill, which were ordered to lie on the table.

He also presented petitions of sundry citizens of New York, praying for the restoration of the duty on foreign oil production, which was ordered to lie on the table.

CALLING OF THE ROLL.

Mr. HEYBURN. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gallinger	Page
Bacon	Crane	Guggenheim	Paynter
Beveridge	Crawford	Heyburn	Penrose
Borah	Culberson	Hughes	Piles
Bradley	Cullom	Johnson, N. Dak.	Root
Brandeggee	Cummins	Kean	Scott
Briggs	Curtis	La Follette	Smoot
Brown	Davis	Lodge	Stephenson
Bulkeley	Dillingham	McCumber	Stone
Burkett	Dolliver	McLaurin	Sutherland
Burnham	du Pont	Martin	Taliaferro
Burrows	Fletcher	Money	Tillman
Burton	Flint	Nelson	Warner
Carter	Foster	Oliver	
Chamberlain	Frazier	Overman	
Clapp	Frye	Owen	

Mr. PILES. My colleague [Mr. JONES] is unavoidably detained for a short time this morning.

Mr. CRAWFORD. I desire to state that my colleague [Mr. GAMBLE] will necessarily be absent during the day. He is paired with the Senator from Indiana [Mr. SHIVELY].

The VICE-PRESIDENT. Sixty-one Senators have answered to the roll call. A quorum of the Senate is present. The introduction of bills and joint resolutions is next in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OWEN:

A bill (S. 2602) for the relief of widows and orphans of marshals or special officers killed in the service of the United States while in the performance of their duty; to the Committee on Claims.

A bill (S. 2603) to authorize the President to appoint Brig. Gen. Frank D. Baldwin to the grade of major-general in the United States Army and place him on the retired list; to the Committee on Military Affairs.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the first bill on the calendar will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. OVERMAN. Mr. President, I have voted to reduce the duties provided for in every schedule in the bill where a vote has been taken, as I shall vote against the whole bill when it comes up on its final passage. I shall vote against it because it is unjust and full of inequalities; because it does not guarantee equal and exact justice to the whole people of this country, but it is, in my judgment, framed in the special interest of the privileged few, while the great mass of the consumers of this country will continue to groan under its heavy burdens of increased taxation. I believe it to be one of the most iniquitous tariff bills ever passed by Congress, as pass it will.

According to the reports of the last census, there were in the United States in 1900 (I speak in round numbers) more than 29,000,000 persons engaged in the five principal groups of occupation. Of these groups more than 10,000,000 people were engaged in the agricultural pursuits, 7,000,000 in manufacturing and mechanical pursuits, 5,000,000 in trade and transportation, and the others were engaged in domestic, personal, and professional services. Out of this grand total of 29,000,000 persons engaged in business in this country, only the small number of 243,000 were reported as manufacturers and officers, and so forth, and, I should say, only about 150,000 of these were manufacturers.

In deducting this privileged and protected class from the grand total we have more than 28,000,000 of our countrymen who are directly affected by this legislation, upon whose backs and appetites is to fall the burden of this indirect taxation. In behalf of this great tolling mass of our laboring people, the wealth-producing people of this country, these people who support the Government in time of peace and fight its battles in time of war, the great majority of whom make their living by the sweat of their brow, I desire to enter my protest against the passage of this bill, which carries a duty of about 46 per cent ad valorem; and when the maximum duty of 25 per cent ad valorem is added to each item on the 31st of March next, as provided in the maximum and minimum rate amendment, the average rate will be something like 71 per cent, making it the highest tariff bill that has been passed in this country, or by any legislative body in the world's history. The average duty in the Dingley bill is 44.88 per cent. This is a reduction with a vengeance; and this is the way the Republican party keeps its promise to the people. No one now has any doubt

but that the bill will pass with practically all its provisions as reported by the committee, notwithstanding the great fight made here against the different schedules. When the bill does pass, the final words written in it should be not "party perfidy and party dishonor," but there should be written across the back of the bill in black letters the words "bad faith and broken promises," for that, in my opinion, will be the judgment of the American people.

Mr. President, the demand for tariff revision came from the people. It was not confined either to the Republican or the Democratic party, but it was well-nigh universal, except from the protected interests. When the Republican convention met in Chicago, for the first time in a quarter of a century, whether yielding to this great demand to meet the wishes of the great mass of the people, or whether from fear, as has been intimated upon this floor, the Grand Old Party surrendered and dropped the old party's shibboleth of "stand pat," and it declared for a revision of the tariff; and for the first time the two parties were united in the expressed desire to bring about a great reform in the tariff. It was understood then, and it was understood by the voters all during the campaign, that there was to be a revision downward. The Democrats charged that the Republican party could not be trusted to revise downward, but that it would be a revision upward. The Republicans replied, bitterly protesting against the Democrats impeaching the sincerity of their party, and earnestly contended that if again intrusted with power they would revise downward. In none of the great speeches made by Republicans of that campaign, I think, can be found any utterance made for a revision upward. It was said that there was to be an adjustment of rates, and an honest and genuine reduction of rates all along the line; and so anxious was the party to show their sincerity and honest purpose in carrying out this pledge, it further pledged that Congress would be called in extra session for this purpose, and for this purpose only.

When the Senator from Rhode Island [Mr. ALDRICH] and the Senator from Massachusetts [Mr. LODGE] and other Senators a few days ago announced on this floor that there had been no such pledge given, that there was no such understanding, these statements must have startled the whole country, from the President down to the humblest voter who read the party platform and heard the speeches during the campaign, when revision was advocated and it was not denied that the tariff must be revised, but claimed that it should be revised by its friends. The people believed, and the President so announced, that his party was for an honest and genuine revision, and that he was in favor of an honest and genuine revision downward.

Mr. President, would any man have dared stand up in the Republican convention, or have proclaimed from the stump at any time during the campaign, that the tariff plank meant what these Senators here have declared it means? Can it be that those distinguished men who wrote that plank in the platform, or the convention which adopted it, intended to deceive the people? Was it purposely worded in order that after the election a different interpretation could be placed upon it? Of course not.

Mr. President, I believe it was written with an honest and sincere purpose to give the people the relief they demanded. The President of the United States is to-day, as he was in the last campaign, in favor of an honest and genuine revision of the tariff downward. He can not put such an interpretation upon his platform as Senators here have put upon it. He specifically declared that the present tariff must be lowered; but his party in Congress upon this question is out of line with the administration, and will not heed his wishes nor keep faith with the people. The high protectionists are again in the saddle, riding roughshod over the people, unmindful of the great trust reposed in them, and the "standpatters" are again in control, and in their glory are winking aside at the trusts, which protection has nourished and fostered.

All during this extra session—and especially since the bill was reported from the House to the Senate—an army of men, representing the great interests and trusts, have been here, filling these halls and hotels, with selfish greed lobbying with Senators, asking for more protection. They have dogged our footsteps in Congress and out of it. They have followed us to our offices and to our homes by day and by night, while the people at home are looking for and expecting us to carry out our promise to give them a genuine reform. It is charged upon this floor by some of our friends on the other side—and I have not heard it denied—that some of these schedules have actually been written, not by the Finance Committee, but by these representatives, in their own interest. Their testimony has been given to the Republican members of the committee, the minority being denied the opportunity of cross-examination—no one permitted to controvert their ex parte statements.

The great demand was for a lowering of the Dingley rate. The demand is not to be heard, and I hazard the opinion that the people of this country will not be satisfied with a law framed in the interest of the few and against the many. Both under the McKinley and under the Dingley high-tariff bills the great trusts and combines, which have monopolized and controlled a large per cent not only of the manufactured products of the country, but many of our natural resources as well, have grown up, been encouraged, nourished, and fattened, while within a comparatively short time, under this policy, untold millions have been accumulated in the hands of a few men and money centralized.

This high protective tariff is a part of the great scheme, devised more than a quarter of a century ago, whereby a moneyed aristocracy has been created in this country, and under its blighting system discontent and socialism have grown and strikes and rumors of strikes become frequent. It is a system by which tolls are taken from the vast majority of the people to enrich the few. The great masses of the people pay the tolls, while the very rich go free of taxation. The 150,000 of the men composing the combines and syndicates reap the benefit, and are never satisfied, but are here to-day, like a horse-leech, crying for more.

In your platform you not only declare for a tariff high enough to cover the cost of production in this country and foreign countries, but for an additional duty high enough to guarantee to the manufacturer a reasonable profit, in addition to the cost of freight and carriage.

Why guarantee, Mr. President, to this privileged and protected class a reasonable profit in addition to the protection afforded, as it is claimed, against the cheap foreign labor? You do not guarantee to the farmer \$1 per bushel for his wheat or 75 cents per bushel for his corn. You do not guarantee to the southern farmer 10 cents per pound for his cotton. No, Mr. President; these people, who are the bone and sinew of our land, who produce its wealth and feed and clothe the world, never ask, nor do they get, any protection. They get not only no protection, but by this system you compel them to pay tribute to the already rich, while they are forced to buy the highly taxed articles which they are compelled to consume, to wear and eat, in order to live.

Tell me how such a system can be a blessing to the farmer. What compensation, I ask, has he for this indirect tax on all he wears and eats, and all that his family consumes? No, Mr. President, this man has learned to read and to think, and the old siren cry of protection to American labor will no longer delude him. While he and the other 15,000,000 people are ready and willing to pay a just tax to raise revenue with which to run the Government, economically administered, they are tired of contributing their hard-earned money to enrich the few who are protected by this bill, and who share not their proportion of the burden. The time has passed when you can further deceive them by levying a duty on such articles as corn, wheat, tobacco, cotton, and other things raised upon the farm. They know they can sell abroad and feed and clothe the world. They have learned that they need no protection, and such a provision in a tariff bill in this day and time is a sham. Under the cover of this pretended protection, which affords little or no protection on that which the farmer has to sell, he is beginning to understand that he has to pay an average of 45 per cent or more on his cotton bagging, tin plates, milk cans, cooking utensils, furniture, window glass, his earthen and stone vessels, his chains, wire fencing, axes, tools, and farming implements of every description which he has to purchase, and that much of this tax which he pays goes not into the Treasury of his country to swell the revenue, but goes into the pockets of the beneficiaries of such a system. Mr. President, taxation, direct or indirect, except for the purpose of providing sufficient revenue to support the Government, is immoral and wrong, and, in the language of a great Supreme Court judge, is "robbery."

To quote the language of Judge Miller in the case of the Loan Association v. Topeka (20 Wallace, 657):

To lay with one hand the power of the Government on the property of the citizen and with the other to bestow it upon favored individuals to aid private enterprise and build up private fortunes is none the less robbery because it is done under the old form of law and is called "taxation." This is not legislation, but it is a decree under legislative forms.

Tariff is an indirect tax; and tax, as defined by the Century Dictionary, is—

1. A disagreeable or burdensome duty or charge; an exaction; a requisition; an oppressive demand; strain; burden; task.
2. An enforced proportional contribution levied on persons, property, or income, either (a) by the authority of the State for the support of the Government, and for all its public or governmental needs, or (b) by local authority, for general municipal purposes.

In this opinion Justice Miller quotes with approval certain cases from the State of Maine, to be found in the Fifty-

eighth Maine Reports, page 590, and amongst other things, as follows:

Taxes are the enforced proportional contribution of each citizen out of his estate, levied by authority of the State for the support of the Government and for all public needs. They are the property of the citizen, taken from the citizen by the Government, and they are to be disposed of by it.

There is nothing of a public nature any more entitling the manufacturer to public gifts than the sailor, the farmer, or the lumberman. Our Government is based upon equality of rights. All honest employments are honorable. The State can not rightfully discriminate among occupations, for discrimination in favor of one branch or one industry is discrimination adverse to all other branches. The State is to protect all equally, giving no undue advantage or special and exclusive preference to any.

No public exigency can require private spoliation for the private benefit of favored individuals. If the citizen is protected in his property by the Constitution against the public, much more is he against private rapacity.

It is high time, Mr. President, that this system by which we have built up, and are now building up, these moneyed aristocracies, with their lavish and ostentatious display of wealth taken from the people by the enormous profits made by these high-tariff bills, should be changed. There is little sympathy now existing between these plutocrats and the great middle class of the people—the plain people of the land—and the breach is widening; and this inordinate wealth is exercising too great influence on the legislative and executive bodies of the States and this Nation and upon those who make and administer our laws. This means danger to the Republic. The people are beginning to feel that they have been legislated against and are not receiving fair play in this great Government, which they themselves have established for themselves.

Taxation is necessary, Mr. President, for the support of the Government, but the burden should be borne by all alike. There should be no unjust discrimination.

The consumer, the producer, the laboring man, and the farmer should share and pay his part and no more. Tariff duties can not be dispensed with, but the people will not submit to direct taxation to run the Government. Taxation which robs the many to enrich the few is a crime. The Democratic party favors a tariff for revenue, with the incidental protection which it necessarily brings. This system does not, has not, nor will it tear down, cripple, or injure any industry in this country. A reduction of the duties in this present bill—a substantial reduction in every item of the bill—will not destroy or injure any one of our great industries.

Mr. President, I am in favor of an income tax, and I most heartily favor the adoption of the amendment offered by the Senator from Texas [Mr. BAILEY], which provides for an income tax, but which, however, seems doomed to go down in defeat, although I believe nine-tenths of the people of this country are in favor of it. I believe the rich people in this country who have these large incomes should accept it and urge its adoption. I am satisfied it would produce a better feeling among all classes of the people. They may successfully resist it now, but, just as sure as the sun shines, it is coming. I do not believe there are a hundred lawyers in this country but who, if asked, would not give it as their opinion that the Pollock case, decided by a divided court, decided under such circumstances as to almost amount to a scandal—which decision when rendered overruled the decisions of that court for over a hundred years—was wrong. If the decision is right, the sooner we know it the better. If this great Government has not the right to levy such a tax, even in an emergency, the Constitution must at once be amended. I think it will be needed, for I feel sure that this bill will not raise sufficient revenue to run the Government; and we, sooner or later, will be required to issue the bonds provided for in the bill in order to meet the deficiency that will probably arise. If not needed now, the time may come in a great crisis when such a tax will be needed, and the question should be freed from doubt forever. I believe that levying unjust tax upon the many for the benefit of a few, and allowing these few to go free of taxation, sooner or later will cause a revolution and the downfall of any government; and the history of the black despair which settled upon many countries in the past, when the few grew rich and the many grew poor, where money was centralized by law in the hands of the few and the many were made to bear the burdens, became serfs and slaves, where opportunity, individualism, and freedom were entirely blotted out, may be repeated in this country.

HEAD TAX.

In order to lighten the burdens of taxation upon the consumer and at the same time protect our American labor and make one of our departments, which has had a deficit of more than \$2,000,000, self-sustaining, I have introduced an amendment which I propose to offer at the proper time, and which I have discussed at some length on this floor on a former occasion.

It provides for a head tax of \$10 for every alien entering the United States.

This amendment, Mr. President, has the hearty indorsement of state legislatures; the American Cotton Manufacturers' Association, which recently met in Richmond, Va.; the National Farmers' Union, the National Grange, labor unions, and many other national associations which have the welfare of the country at heart. It has been held by the Supreme Court to be a constitutional tax. It is a just tax. Such an amendment as this means not only revenue to the Treasury, but it means a more select class of immigrants, and therefore the protection of American labor and everything American.

It is shown by the government reports that each emigrant who lands here has an average sum of \$23, and five-sixths of those who come are adults. They do not come as did our fathers of old, with their tents and children to make this their permanent home; but a majority of them come over to work in competition with our labor, save every cent, and return to their own country. They love not our institutions and have no reverence for our flag.

STEERAGE RATES.

Mr. President, it will go far toward equalizing the steerage rates from European points to this country and putting us on an equality with other countries. The steerage rates to this country are cheaper than to any other country, making it the cheapest country in the world for Old World emigrants to reach. At present the steerage rates of the United States are from eight to sixty dollars less than to other countries, consequently the present ever-increasing alien influx. It is no wonder that this is the only dumping ground for the surplus population of every foreign country. Last year's ebb is but the harbinger of another flood tide running much higher than the last, and has, in fact, already set in with the first signs of industrial revival.

The present class of immigration, in the main, comes here like birds of passage, to pick up what they can find and bear it away, and they will not go as did the immigrants of the olden time, out into the West and on to the frontier. They share in the blessings and privileges of this great Government, often supplanting the American—native or naturalized—who has a home and family and pays taxes. They share its opportunities and benefits, but undertake none of its burdens. They share our schools, hospitals, charitable institutions, and other advantages, and contribute nothing to their support. Granting that all of this falls upon the newcomer, which I deny, why should not a tax of \$10 be collected from them for the purpose of defraying all the immigration-service expenses, contributing something to the support of the Federal Government, and by way of keeping out the more shiftless, less industrious, and less frugal?

Mr. President, I believe it will raise at least nine or ten million dollars of revenue from sources at present contributing comparatively nothing to the support of the Federal Government, and it will certainly tend to give us, in addition, a better class of immigrants.

TRUSTS.

I also introduced an amendment, which I shall offer after the schedules are finally considered, for the relief of the people from the extortionate and unreasonable prices which have prevailed in this country for a long time upon certain articles of manufacture principally used by the farmers of the country, and which are produced and controlled by some of the great, unlawful, and protected trusts and combines. This amendment provides:

That whenever the President of the United States shall be satisfied that any company, combination, monopoly, or trust is producing more than 50 per cent of any product consumed in the United States, and is so organized, managed, and controlled that any of its products, articles, goods, wares, and merchandise is exported and sold by it, or by and through its agents, in a foreign market at a less price than they are sold in the home market, and that the price at which said products, articles, goods, wares, and merchandise are sold in the United States or the home market is unreasonable or extortionate he is hereby authorized and directed to suspend, by proclamation to that effect, in whole or in part, the collection of custom duties or taxes on any products, articles, goods, wares, and merchandise of a like character which may be imported into this country for such a period of time as the President may deem proper.

It has been suggested here, Mr. President, that such a provision in the tariff bill would be unconstitutional, as being a delegation of legislative power. But surely, Mr. President, there can no longer be any doubt upon this question. This question was settled in *Field v. Clark* (143 U. S., p. 649), in which opinion the court uses the following language. The language is taken from *Lock's appeal* (72 Pa. State, 491), and is quoted by the Supreme Court, by Justice Harlan, with approval:

The legislature can not delegate its power to make a law, but it can make a law and delegate a power to determine some fact or state of things upon which the law makes, or intends to make, its own action depend. To deny this would be to stop the wheels of government. There are many things upon which wise and useful legislation must

depend which can not be known to the lawmaking power, and must, therefore, be a subject of inquiry and determination outside of the halls of legislation.

Also, in *Buttefield v. Stranahan* (192 U. S., 496), wherein was involved the construction of the law of Congress appointing a board of seven members, who were to prepare and submit to the Secretary of the Treasury samples of tea, and upon their recommendation the Secretary of the Treasury was authorized to fix and establish a uniform standard of purity, quality, and fitness for consumption of all kinds of tea, the court says:

This case is within the principles of *Field v. Clark*, where it was decided that the third section of the tariff act of October 1, 1890, was not repugnant to the Constitution as conferring legislative and treaty-making power on the President, because it authorizes him to suspend the provisions of the act relating to the free introduction of sugar, etc. We may say of the legislation in this case that it does not in any real sense invest the administrative officials with the power of legislation. Congress legislated on the subject as far as was reasonably practicable, and from the necessities of the case was compelled to leave to executive officials the duty of bringing about the results pointed out by the statute. To deny the power of Congress to delegate such a duty would, in effect, amount to declaring that the plenary power vested in Congress to regulate foreign commerce could not be efficaciously exerted.

Messrs. Prentice and Eagen, in their valuable work on the commerce clause of the Federal Constitution, on page 31, also say, in summing up the whole matter:

The test determining the validity of a delegation of discretionary power therefore appears to be that if a controlling rule is fixed by the legislature and the power delegated is to apply this general rule to specific facts, or to determine some fact upon which the legislature makes its action depend, then the law is valid.

If it is true, as I undoubtedly believe, Mr. President, that many of the articles produced by these trusts and combines, which practically have a monopoly in them, are sold to the people at unreasonable and exorbitant prices, then by all means this amendment should be adopted. If such is not the case, the amendment will do no harm, as the decision is left entirely with the President, and he must be satisfied that the manufacturers are selling at unreasonable and exorbitant prices before he is to issue his proclamation for suspension of the duties.

For a long time the allegation, frequently made by the Democrats, that articles made and produced by the steel and iron trusts, as well as other trusts in this country, and principally those articles which are used by the farmers and mechanics, were sold in foreign countries at from 40 to 75 per cent cheaper than they are sold at home, was denied. But the fact that this is so, Mr. President, can not be and is no longer denied, as the proof of it has been made. Senators now boast of this fact, and have done so during this discussion. The Senator from Rhode Island [Mr. ALDRICH] does not deny it.

It has also been admitted by one of the leading Members of the House [Mr. DALZELL] and during this session by the Senator from New Hampshire [Mr. GALLINGER] and the Senator from Michigan [Mr. SMITH].

I ask, Mr. President, to print as an appendix to my remarks a list of the articles sold abroad cheaper than they are sold here, giving the domestic and foreign prices.

The VICE-PRESIDENT. In the absence of objection, permission to do so will be granted.

METAL AND STEEL.

Mr. OVERMAN. Mr. President, next to the food he eats, iron, metal, and steel enter more largely into the uses and needs of the farmer and mechanic, to enable him to make his crops and perform labor, than anything else he has to purchase. By an examination of the tables which I append to my remarks, it can be seen that many of the articles which are sold so much cheaper abroad than here are produced by the steel and iron trusts, and it is very evident, to my mind, that when we consider the low price at which they are sold in other countries and the price at which they are sold here, considering the freight paid when shipped abroad, these prices at which they are sold to our people are outrageous, exorbitant, and unreasonable.

Everybody expected greatly reduced rates to be provided in the metal, iron, and steel schedules. The steel magnates themselves expected it and made no objection. Yet I am told, Mr. President, by a government expert, that while there seems to be in a few of the items some reduction, when taken as a whole there are no substantial reductions from the duties imposed in the Dingley bill; and now we are informed by the Finance Committee, and by a majority of the Senators, since this schedule has been adopted, that these poor little infant industries, which are mainly controlled by the steel trust, need protection from the pauper labor of Europe. It is by reason of the protection afforded in these schedules that these monopolies have been enabled to rob the people by these extortionate and unreasonable

prices. The duties are practically prohibitory, and there is very little competition. They fix the price, over and above the cost of production, of the duty, and such profit as they think the people will stand for. This is denied, of course, by the protectionists, but all nonpartisan economic writers upon the subject, from Alexander Hamilton down to Mr. Cooley, say this is true. Here I will quote Mr. Cooley upon the subject:

Taxes are said to be indirect when they are demanded from persons who it is supposed, as a general thing, will indemnify themselves at the expense of others—that is, when they are levied on commodities before they reach the consumer, and are paid by those upon whom they ultimately fall, not as taxes, but as a part of the market price of the commodity.

STEEL—EXPORT PRICES.

On May 11, 1901, Charles M. Schwab, president of the steel trust, testifying before the Industrial Commission, stated that export prices are always somewhat lower than home prices, and cited that the export price for steel rails was about \$23 a ton, and the price here was \$26 and \$28.

In July, 1904, the first volume of the report of the Chamberlain commission, which consisted of about 60 of the leading business men of England, was published. It related to iron and steel, and the evidence of some of the witnesses that appeared before that body throws a lurid light upon the "dumping" process of protectionist countries on free-trade England. A few extracts make interesting evidence for American consumers of iron and steel products:

EVIDENCE OF ENGLISH FIRMS AS TO PRICES ON "DUMPED GOODS."

Firm No. 898. Pig iron from the United States is imported into this country below cost price here. Our customers are buying at 5s. per ton less than we can produce at, and the Americans are reported to be selling for export to England at a price equivalent to 8s. per ton lower than the price at which they are supplying their own country.

Firm No. 1147. We were informed by an American mattress maker last summer that American wire which could be bought in Birmingham at \$18 per ton was sold for \$21 in the States, and, when freight was taken into consideration, this would be a drop of between 15 per cent to 20 per cent. Our price in Birmingham is 18 10s., but 90 per cent of the wire used by mattress makers in Birmingham is American, and doubtless the same condition prevails in other towns.

Mr. H. F. Lyman, in a letter to the Ways and Means Committee, says:

I have seen prices on wire quoted by the American Steel and Wire Company from their London office to wire-ropes manufacturers in England which were nearly 50 per cent less in price than the prices I found existing at the same time on the same grade of wire in this country.

Mr. Samuel M. Nicholson, president of the Nicholson File Company, known as the "file trust," acknowledged on January 15, 1909, in his evidence before the Ways and Means Committee, that his company sold files in the United States for 25 to 28 per cent more than those they sold in Germany. (Hearings, pp. 2202, 2203.)

On November 10, 1908, Mr. N. B. Arnold, of the Keystone Varnish Company, of Brooklyn, N. Y., representing the Varnish Manufacturers' Association, gave testimony before the Ways and Means Committee, asking that the present duty on varnish be retained. He testified as follows:

But, as a matter of fact, we are absolutely able to compete with the foreigner. We go into foreign countries and compete with the world. We sell the goods, and those shipments are increasing from year to year, the goods being sold at a profit. There is no dumping ground for varnish. I have sold goods in foreign countries all over the world myself as far back as 1882. I do not believe this story about giving away goods to get rid of them. I will say that I sold sewing machines in 1882 abroad at a price of \$19.50 for the same machines that were selling in this country for \$65, and they were not made anywhere else excepting in this country, and I will say, too, that I made money out of it. I sold them in South Africa at a profit. There was some difference in the profit between Africa and America. The same kind of machines were sold at home at a price of \$65. I sold plows in South Africa for \$8.50 that you could not buy for less than \$12.50 up to \$20 in this country. And I say that all this is rubbish about dumping goods in foreign countries. I have been connected with the foreign business, as I say, for three years, and I want to say that I can do better business here than I can over there. I have been over there looking the situation over, and there is nothing in it.

Of all the export journals the Exporters and Importers' Journal gives by far the most comprehensive assortment of export prices. At the publication offices of all the export journals precautions are taken to prevent copies from getting into the hands of any domestic buyers or inquirers. The greatest precautions are observed at the office of the Exporters and Importers' Journal. It is very difficult for anyone but a subscriber or advertiser to obtain a copy of this periodical. If a copy is obtained in this country, it contains only the list prices in the department of prices current for export, which is the Journal's most important feature. The key to the actual prices of these articles is given only in a separate special discount sheet, which is inserted only in the copies of the Journal actually mailed to a foreign country. This sheet contains several hundred discounts, arranged in columns, each discount opposite a number, each number referring to a certain part of the list of prices current in the Journal, so that with the discount sheet and Journal together the actual selling prices of the articles listed can be determined.

Table I shows the difference in discounts, and is therefore much more comprehensive than Table II, which shows the differences in dollars and cents between exports and home prices of certain specific articles.

For example, the export discount on plumbs and levels is 70, 10, 10, 10, and 5 per cent, while the home discount is only 60 and 10 per cent. This means not merely that a particular plumb or level is referred to, but that these discounts apply to many kinds and sizes of plumbs and levels made by the manufacturer mentioned, all of which are sold for 72 per cent more in the home market than for export. Frequently, if not usually, the price lists of other manufacturers of the same articles as are here compared show about the same differences between export and home prices. It has been thought best in most cases not to publish the names of the manufacturers whose prices are quoted.

TENNESSEE COAL AND IRON COMPANY.

Mr. President, the absorption of the Tennessee Coal and Iron Company by the United States Steel Company was one of the most outrageous and scandalous transactions which ever happened, and should not be tolerated. The Tennessee Company was one of our southern industries, of which we were justly proud. It was making money and declaring dividends annually. They produced better steel rails and cheaper steel rails than the United States Steel Company could possibly make. It was its greatest competitor, and was selling their goods in the territory of this trust; but the great moneyed kings of Wall street, headed by J. Pierpont Morgan, with their power and control of the money situation, in the fall of 1907 forced a condition of things so as to acquire this great southern industry, which could make steel rails as cheap as any country in the world, as testified to before the Ways and Means Committee of the House. They forced the stockholders to sell their stock, forced the sale of this property, which was worth, according to low estimates, with its 700,000,000 tons of iron ore and 1,200,000 tons of coal, the sum of \$805,000,000, at the ridiculously low price of \$39,000,000.

By this transaction this great bloated trust, with its tube companies, its bridge companies, its steel and wire companies, its steel and hoop companies, its cement company, its iron mines and coal mines, its tin-plate companies, its railroad company, its steamboat company, and other subsidiary companies, now owns and controls about 61 per cent of all the iron and steel output of this country, with the power to crush out all opposition, to fix prices at will, and to compel the people to pay tribute to enrich its Carnegies, Fricks, and Schwabs, and a hundred other millionaires, who have grown rich beyond the dream of avarice by the aid of this Government, which has nourished and fostered them by its high protective policy. It now has still greater power to make unreasonable and extortionate prices, with still greater power to crush out and own competitors, and the 15,000,000 of people of this country who are compelled to use their products are absolutely at their mercy and contribute to swell their mighty dividends.

Is it to be wondered at, then, that this company, even prior to the absorption of the Tennessee Coal and Iron Company, was declaring an annual dividend of \$35,000,000 and adding \$10,000,000 to its surplus fund; that they now have more than \$35,000,000 in the surplus fund, as is shown by its last report? Yet, Mr. President, we are giving them further protection upon the articles which they produce. You give them a duty on the iron ore, a duty on the pig iron, a duty which goes into the manufacture of steel, and a duty on their finished product. Without any authorization of law this absorption was consented to by those higher up in authority in this Government, and the wheels of justice, which should have at once been set in motion to protect the people against such a combination, were clogged, did not move, and this great trust escapes the criminal law, and the people will continue to groan under the burdens laid upon them by this trust, one of the beneficiaries of this law.

INTERNATIONAL HARVESTER COMPANY.

Another poor little infant \$200,000,000 industry, which they tell us needs protection and which is protected under this bill, is the International Harvester Company, one of the mightiest trusts in the country, and which in prices discriminates in favor of the foreigner and against the American citizen. On the 17th day of December, 1906, a resolution was passed by the Senate directing the Department of Commerce and Labor to make an investigation of the affairs of this company, and so far as I can learn, Mr. President, this resolution in the Senate has met no response. Two years and more have passed and no report.

I also learn that the Department of Justice has made an investigation of this company, and yet we have not the facts which we should have concerning this company. There is no indictment, and there has been a mysterious silence in both departments in regard to it. Is this information which the Congress desires held back purposely, or have the officers of the Government failed in the duties required of them by the Congress? Is the Senate to be ignored in its demand upon one of the great executive departments? They seem to treat this law-mak-

ing power with silent contempt. I sent my secretary to the office of the Commissioner of Corporations to get the information, and their reply was that the information they had was so fragmentary that it could not be given out.

Mr. STONE. Mr. President, will the Senator permit me to interrupt him?

Mr. OVERMAN. Certainly; I yield.

Mr. STONE. The Senator referred to the fact that he had sent his secretary to the Department of Commerce and Labor to ask for some information, as I understood him, that was in the possession of the Department as to the prices which agricultural implements were sold for here and abroad, and he failed to get it.

Mr. OVERMAN. That is true.

Mr. STONE. A resolution was adopted by the Senate some time since calling upon that department for that information, and on yesterday that information was sent to the Senate, but it has not yet been printed.

Mr. OVERMAN. I hope we shall get it at last.

Mr. STONE. I tried to get it this morning, but it is not in print.

Mr. OVERMAN. I know it was stated more than a year ago upon this floor that, on inquiry, the Department of Justice stated that the Department of Commerce and Labor was investigating the subject, and when we went to the Department of Commerce and Labor they said "the Department of Justice are investigating it;" and we could not get anything from them. If they have at last sent in the report, I am glad to know it, although I have not seen it; but I have some evidence myself upon that question.

Mr. MONEY. Will the Senator yield to me for a moment?

Mr. OVERMAN. Yes.

Mr. MONEY. I am extremely interested in the very able speech the Senator is making; and while he is on this point of the sale of our manufactured products abroad cheaper than at home, I should like to ask him if his attention has been directed to the fact that when sold to a citizen at home they are delivered on the car at the point of manufacture uncased, while, when sold abroad, they are crated free of charge and delivered to the ship f. o. b., which is a very great discrimination in favor of the foreign buyer?

Mr. OVERMAN. Not only that, but I have evidence here showing that the machines they sell abroad are better than those sold to our consumers; they are heavier machines, made to suit that market; and yet they are sold from 25 to 50 per cent cheaper than at home.

Mr. MONEY. If the Senator will permit me to refer to a part of his speech which he seems to have passed, I should like to have him state to the Senate why there was no prosecution of the American steel trust for the merger of the Tennessee Coal and Iron Company, if he is aware of any reason.

Mr. OVERMAN. I can not tell, Mr. President. It is a very strange thing to me that no action has been taken looking to the prosecution of this great trust, perhaps the greatest in this country, which acquired, under circumstances which have been published not only in the press, but published, I might say, by the report of the majority of the Committee on the Judiciary, although, as to the facts, there is a minority report upon its conclusion as to the authority of the President to authorize the merger. That report gives the facts as to the manner in which the United States Steel Company forced the great southern concern, which was doing a legitimate business and making dividends, to sell \$800,000,000 worth of property for \$33,000,000; and now they are holding it in reserve, so that when their mines in the Lake Superior region give out, they will have all this property, control 61 per cent of the output, and, of course, can name the prices and control the prices to the consumer in this country.

Now, as to the International Harvester Company. This trust was organized in 1902, and at that time there were 8 or 10 companies in the country engaged in the manufacture of harvesting machines; and, in order to break down competitors, those different constituent companies were consolidated and entered into a trust, under the name of the International Harvester Company. It was organized with a capital of \$120,000,000. At the time that monopoly was created the average price to the farmer of a self-binder was from \$90 to \$100. To-day it costs the American farmer from \$125 to \$150; while I am informed that the same self-binder sells abroad at from \$90 to \$100; and the \$50—the difference between the price at which one of their best machines is sold to a foreigner and the price at which it is sold to the American citizen—goes not into the Treasury for revenue, but into the pockets of this trust;

and the farmer continues to pour his money into the hopper of this trust to make multimillionaires.

They control not only the price of the machines, but they control the price of the ingredients entering into the manufacture of binding twine, so that the farmer must also buy from them his binding twine. They control establishments devoted to making gasoline engines, manure spreaders, mowers, and rakes. They control the harness business and many other necessary articles which the farmer has to buy. So that the farmer who purchases his harvesting machines must also buy his binding twine, his harness, and other articles used in farming from this company, as he can not purchase them elsewhere, or, if he does, the price is controlled by this trust.

Mr. President, the men who form these unlawful combinations for the purpose of crushing out competitors, fixing unreasonable prices, robbing the people, and violating the laws of the land, should be punished by imprisonment in the penitentiary. But above all things the protection which they have been given for years under the Republican tariff system should be stricken down, and the duty on the articles which they make should be suspended so that the people will not be compelled to purchase all their goods from one or two concerns.

Olaf Larson, a hardware dealer of Lynden, Kans., in a letter published in the *Commoner*, of Lincoln, Nebr., states how agricultural machinery is sold cheaper abroad than here. He says:

The writer has spent several years in the employ of the International Harvester trust, the last four years of which I spent having charge of a large territory for them in northern Europe, quitting their employ about seventeen months ago; am now engaged in the hardware and implement business here.

During my trips to Europe I sold to European dealers harvesting machines f. o. b. at Chicago, as follows:

Binders, \$33; mowers, \$12; hay rakes, \$5; and reapers for \$15 less than they are sold to American dealers, besides selling the European trade a special, stronger made, and more durable machine than domestic types, in order to handle the heavy crops raised over there and compete with the substantially built European machine. Here the trust is free from any such competition, as our tariff imposes a prohibitive duty on machinery, viz, \$85 on a self-binder.

LUMBER.

Mr. President, I voted to put lumber on the free list; I voted for the amendment to put lumber, nails, hinges, glass, paint, and everything which goes into building the home, the schoolhouse, and the church on the free list. But when you voted down this amendment and singled out one single item, lumber, to go on the free list, while other things which go into building the home were to be taxed on an average of about 40 per cent, I voted against it. I did not propose to see my people bear the burden of a heavy tax upon every article they had to buy which goes into the building of a home and at the same time have the great products of my State go on the free list. While the average ad valorem duty of the bill is 46 per cent, I shall now vote for \$1 on lumber, which is an ad valorem duty of only 5 per cent, and which will produce some revenue to run the Government. The people of North Carolina are true and loyal citizens, and they do not object to paying their just share of the taxes for the support of the Government. What I do object to and protest against is that they shall be compelled to pay more than their just proportion. I do most earnestly protest against their being compelled to pay their hard-earned money into the pockets of the millionaires, who control the trusts, instead of having it go into the Treasury for revenue. I protest against the provision of the bill which requires them to pay taxes on everything they buy, while what they have to sell shall be sold free.

DEMOCRATIC DIFFERENCES.

Mr. President, there has never been a tariff bill passed by Congress but that there were differences between individual Senators belonging to the same party in regard to some details or items in the schedules of every bill, and especially those items to be locally affected. But there was, and is now, very little difference among the Democrats as to the fundamental principles of the party upon this great question. We have differences on nonessentials, but on the main question and fundamental principles we are more united here than we have ever been before. There are differences also among our friends on the other side of the Chamber, but the great parade which is being made by the press of the country as to the division and dissensions of our party is far from true. As far back as 1816, I find there were differences then. There were differences in 1846, when the Walker tariff bill was passed. There were differences when the McKinley bill was passed, when the Dingley bill was passed, and when the Wilson bill was passed.

I have here, Mr. President, a letter, which I will incorporate in my remarks, written by Judge Gaston, of my State, at that time a Member of Congress, and one of the greatest men produced by my State. He resigned from Congress and became

the great, renowned chief justice of our supreme court. Showing that there were troubles then, he says:

It is exceedingly uncertain as when we shall adjourn. We are now engaged with the tariff of duties, which threatens to be an exceedingly tedious and unpleasant subject. It has already occasioned the strangest division and combination of parties I have ever witnessed—agricultural, navigating, commercial, manufacturing—and all the subdivisions of these great interests are made to separate and reunite in the most whimsical varieties as we go from cotton to sugar, from woollens to hardware, and vice versa. God knows whether we shall agree upon anything; if we do, I am afraid it will not be for the benefit of our section of the country. The probability is, I think, I shall not reach Carolina before May.

The responsibility of making the bill is upon the Republican side of the Chamber. It is to be a high protective-tariff bill; and as you intend to pass such a bill, we did not propose to see our section of the country discriminated against when certain items were reached in the different schedules in which we were vitally interested. We have honestly differed as to whether some few articles should not go on the free list or the dutiable list; but, however we may have differed in this respect, the party has been united on the fundamental principles of a tariff for revenue.

THE SOUTH AND ITS PROSPERITY.

Mr. President, I am sure that the distinguished Senator from Rhode Island [Mr. Aldrich] intended no reflection upon the South when, in alluding to that section, he said upon this floor a few days ago:

I am glad to see that Senators upon the other side recognize this fact, and are willing to cooperate with us in giving such protection—I care not what you call it—such encouragement, if you please, to this development as will make your country what it ought to be—a country which will blossom as the rose compared with the wilderness which existed there twenty-five years ago.

When he says the South was a wilderness twenty-five years ago, I tell him he never was more mistaken in his life. Neither twenty-five years ago nor forty years ago was the South a wilderness. The South has not been a wilderness since the Cavalier, the Huguenot, and the Puritan settled in her borders; not since we declared our independence and sounded the death knell of absolutism and the divine right of kings; not since we wrote in the sky, as it were, a pillar of fire by night and a cloud by day to lead the people, "Freedom, equal rights to all men and special privileges to none, righteousness and justice."

Forty years ago, Mr. President, there was poverty, distress, sorrow, and desolation there. But there was still left fair women and brave men—men with blood of the Teutons, the Angles, the Saxons, the Caucasians, flowing in their veins. When the curtain went down on the awful tragedy at Appomattox your people, amidst shouts of triumph and paeans of glory, with flags unfurled to the breezes, returned to homes of plenty. Our people, ragged, barefooted, with sadness returned to their homes, leaving blood in their tracks as they wended their weary way along the country road, to find poverty and almost despair. There was desolation everywhere. Here and there the silent chimney told where the torch of the invader had been. The old homestead was no more.

Their fields were laid waste, their stock all gone, the roof of his house caving in. When he reached his old home he beheld the sad, worn face of that noble, loyal woman he had left four years before, who had remained as true and loyal to him and his cause as he himself had been as a soldier. He beheld his children in rags. There was a vacant chair in every home. From 10 to 40 per cent of the South's population had died or had been slain in battle. Still it was not a wilderness.

The glad smile and loving welcome of his wife and children were an inspiration to him. The old fire came into his eyes, and he looked up. He threw aside the old musket, which had been his faithful companion for four long years, and took up the old worm-eaten, rusty plow, which for months had lain idle in the furrows, and began to till the soil—State building again. He laid aside the old sword that had flashed in the face of the enemy upon a hundred battlefields and took up the old rusty scythe, and began to cut down the briars—State building again. Since he had surrendered in good faith, he determined to be loyal to the flag and true to the Union again. The cause for which he fought had been shot to death.

Then came, Mr. President, the awful, cruel, dark days of reconstruction, more terrible than war. We had lost, but we saved our manhood, our instinct for local self-government, and nowhere else in this world, Mr. President, is it more intensified to-day than in the South. Three million of the former slaves were turned loose suddenly upon us, and, pitiful to tell, given the right to govern their former masters. For a time these former masters, who were descendants of the men who had formed the Government, were denied the right to vote. A tax of 3 cents on every pound of cotton which they raised was levied,

while the wheat, corn, and other crops of the prosperous farmers of the North and West went free of taxation. There was rottenness in high places, corruption in office—everywhere a perfect saturnalia of crime and insult. Still it was no wilderness.

By the providence of our merciful Heavenly Father, these old soldiers raised the biggest wheat crop ever known in their history. They had bread to eat, but little else. Hope, courage, determination, and patient endurance were left, and a mighty and knightly race of people were there—men who had governed men and knew how to govern, and who determined, by the help of God, that they would govern. The bayonet, the reconstruction laws, no power of earth, could prevent them from coming into their own and rebuilding their own States. It was their home, the home of their ancestors. To them that soil was sacred, and, without sympathy or encouragement from abroad, suffering for a time under the yoke of oppression, they at last brought order out of chaos and gave peace and good government.

These men and their sons struggled onward and upward through great tribulations. They rebuilt their homes, their churches, and their schoolhouses.

What amidst all these trials they have accomplished in forty years, Mr. President, has been the admiration and wonder of the whole world. To-day, if the flag of our country was insulted or our honor at stake, the sons of these heroes could and would wage as great a war for the Union as their fathers did for the rights of the States in the sixties.

When war was declared with Spain, her young men volunteered by thousands and rallied around the old flag. It was a southern man, a North Carolinian, who was first to shed his blood in behalf of his country when Worth Bagley gave his life to his country on board the *Winslow*. It was the gallant Shipp, another North Carolinian, who was killed while gallantly leading a negro regiment up San Juan heights.

The South to-day, Mr. President, is richer by far than the whole country was before the war. It has more money in its banks, more miles of railroads, more iron and coal mines, more cotton mills, than the entire country had prior to 1861. We are a homogeneous people and have less foreign population than any other section. Her population has increased 63 per cent since 1880. Since that time her capital in manufacturing industries has increased 716 per cent; cotton mills, 1,169 per cent; cottonseed oil mills, 2,268 per cent; in iron, 768 per cent; farming products, 468 per cent; bank deposits, 769 per cent.

With her great cotton crop—of which she has a natural monopoly—she has added annually to the wealth of the country more than \$600,000,000. She brings back from foreign countries more than \$400,000,000 in gold, giving us the balance of trade each year. She furnishes a great basis for our foreign exchange; furnishes most of the means to purchase imports and supply a revenue, making a bond of peace with foreign nations constituting a stronger preventive of war than armies and navies; furnishing raw material abroad for foreign capital and wages of a thousand of the working class, all of whom would be injured by any distress growing out of the state of war of the direct and adequate supply of raw material. She has cheerfully contributed her proportion of the many, many millions of dollars which is sent to the North and West to pension the widows of soldiers, and has received but little in return. No section of our country is prospering more. She is growing great without any aid from the General Government. She is prosperous in spite of your high protective-tariff laws. She is not here asking for favors or special privileges.

All the South asks is that she be given justice, be treated fairly, and not discriminated against. She has no monopolies, no "robber barons," plutocrats, or aristocratic bosses. They will not live in that climate. It is unhealthy for them. With her wonderful natural resources, her unopened mines, her undeveloped lands, awaiting the plow of the husbandman, her possibilities and her potentialities can not be measured. She is already "blossoming like a rose," and her prosperity is no longer a problem. This land of sunshine and song, of heroes and heroines, is to be one of the fairest and most prosperous sections, protection or no protection.

What constitutes a State?
Not high-raised battlement or labored mound,
Not cities proud with spires and turrets crowned,
No; men, high-minded men,
Men who their duties know,
But know their rights, and, knowing, dare maintain.

APPENDIX.

Showing difference between export and home price of certain specified articles.

Articles and description.	Export price.	Home price.	Difference.
Auger bits, Irwin's solid center:			Per cent.
4/16.....per dozen.....	\$1.30	\$1.80	39
16/16.....do.....	2.92	4.05	39
Auger handles, Gunn's No. 5.....do.....	9.75	11.48	18
Bolt clippers, "Easy" and "New Easy," No. 1, each.....	1.71	2.03	18
Bird cages, Hendryx's No. 316.....per dozen.....	13.00	18.20	40
Bolts:			
Carriage, 3/4 by 6 inches.....per hundred.....	.60	.75	25
Machine, 3/4 by 4 inches.....do.....	.57	.68	19
Tire, 3/4 by 6 inches.....do.....	.63	.76	17
Braces, Fray's:			
Genuine "Spofford," No. 107.....per dozen.....	6.30	8.40	33 1/2
Ratchet, No. 81.....do.....	10.44	14.50	39
Ratchet, No. 62.....do.....	6.90	11.50	66 2/3
Sleeve, No. 207.....do.....	7.13	11.00	54
Sleeve, No. 606.....do.....	7.56	10.50	39
Plain, No. 303.....do.....	3.60	6.00	66 2/3
Bunghole borers, Enterprise, No. 1.....do.....	.74	.94	27
Can openers, "King".....per gross.....	4.50	6.00	33 1/2
Coffee mills, Enterprise, No. 1.....each.....	1.22	1.35	11
Files, Nicholson's:			
Mill and round bastard—			
3 to 4 inch.....per dozen.....	.40	.64	60
5-inch.....do.....	.48	.68	45
6-inch.....do.....	.50	.75	27
Flat bastard—			
3 to 4 inch.....do.....	.40	.79	98
5-inch.....do.....	.48	.83	73
6-inch.....do.....	.59	.92	56
7-inch.....do.....	.75	1.03	37
8-inch.....do.....	.88	1.13	28
9-inch.....do.....	1.01	1.35	34
11-inch.....do.....	1.51	1.84	22
13-inch.....do.....	2.11	2.52	19
Square—			
3 to 4 inch.....do.....	.40	.81	102
5-inch.....do.....	.48	.88	83
6-inch.....do.....	.59	.98	66
7-inch.....do.....	.75	1.09	45
8-inch.....do.....	.88	1.18	34
9-inch.....do.....	1.01	1.41	40
10-inch.....do.....	1.26	1.68	23
11-inch.....do.....	1.51	1.94	29
12-inch.....do.....	1.82	2.18	20
13-inch.....do.....	2.11	2.67	27
Gauges, Disston's:			
Combination steel.....each.....	.55	.62	12
Center.....do.....	.17	.19	12
Harness snaps:			
"Trojan," 1 1/2 loop.....per gross.....	2.70	3.60	33 1/2
"Yankee," 1 1/2 loop.....do.....	2.90	3.98	37
"Derby," No. 733.....do.....	2.70	3.75	39
Lamp chimneys, Macbeth's:			
No. 502.....per dozen.....	.40	.68	70
No. 504.....do.....	.50	.83	64
Lawn sprinklers, Enterprise, No. 2.....each.....	1.76	2.10	19
Levels, Starrett's 24-inch bench.....do.....	1.28	1.42	11
Plumbs and levels, Disston's No. 12.....per dozen.....	5.83	10.08	72
Pocket knife and tool kit, Ulery's.....per set.....	1.15	1.50	30
Rifles, Stevens's:			
"Little Scout," No. 14.....each.....	1.35	1.75	30
"Maynard Jr.," No. 14.....do.....	1.80	2.20	22
No. 16.....do.....	2.00	2.60	30
"Little Krag," No. 65.....do.....	2.50	3.00	20
"Favorite".....do.....	3.47	4.50	30
Sausage stuffers, Enterprise, No. 5.....do.....	2.20	2.61	18
Saws:			
Disston's—			
Hand, 30-inch, No. 7.....per dozen.....	13.74	17.48	27
Hand, 30-inch, No. 16.....do.....	15.39	19.98	28
Combination, No. 43.....do.....	15.26	19.42	27
Butcher, 24-inch, No. 7.....do.....	8.50	11.90	40
Framed wood, No. 60.....do.....	6.00	9.00	50
Band, 2-inch, 18-gauge.....per foot.....	.157	.23	65
Barnes's combined scroll and circular.....each.....	28.00	32.00	14
Screws:			
Flat-head, iron, wood—			
Size, 1/4 inch, Nos. 1 to 4.....per gross.....	.034	.073	115
Size, 1/2 inch, Nos. 1 to 4.....do.....	.034	.073	115
Size, 3/4 inch, Nos. 1 to 3.....do.....	.034	.073	115
Size, 1 inch, No. 4.....do.....	.038	.076	100
Size, 1 1/4 inch, No. 4.....do.....	.041	.079	97 1/2
Flat-head, brass, wood—			
Size, 1/4 inch, No. 1.....do.....	.072	.136	89
Size, 1/2 inch, No. 6.....do.....	.084	.195	132
Size, 3/4 inch, No. 6.....do.....	.084	.211	151
Size, 1 inch, No. 6.....do.....	.095	.227	136
Size, 1 1/4 inch, No. 6.....do.....	.108	.251	132
Round-head, iron, wood—			
Size, 1/4 inch, No. 1.....do.....	.034	.087	156
Size, 1/2 inch, No. 6.....do.....	.031	.112	87
Size, 3/4 inch, No. 10.....do.....	.10	.17	70
Size, 2 inches, No. 16.....do.....	.228	.378	66
Size, 3 inches, No. 18.....do.....	.412	.67	63
Round-head, brass, wood—			
Size, 1/4 inch, No. 1.....do.....	.072	.168	133
Size, 1/2 inch, No. 6.....do.....	.16	.329	106
Size, 3/4 inch, No. 10.....do.....	.336	.776	131
Size, 2 inches, No. 16.....do.....	.768	1.955	155
Size, 3 inches, No. 18.....do.....	1.24	3.646	194

Showing difference between export and home price of certain specified articles—Continued.

Articles and description.	Export price.	Home price.	Difference.
			Percent.
Screwdrivers, Disston's electric, 12-inch...per dozen...	\$1.36	\$1.86	37
Shoe dressing, Whittemore's:			
"Gilt Edge".....do.....	1.20	1.75	46
"Baby Elite".....do.....	.60	.67	12
Shotguns, Stevens's:			
No. 105.....each.....	2.80	4.25	52
No. 107.....do.....	3.00	4.50	50
No. 225.....do.....	8.67	9.75	12
Smoked-beef shavers, Enterprise, No. 23.....do.....	4.32	5.55	28
Squares, Disston's:			
Try, rosewood, 10-inch, No. 1.....per dozen.....	1.66	2.88	72
Steel, 4-inch.....each.....	1.10	1.46	13
Traps, Lovell's mouse and rat, metallic.....per gross.....	5.50	7.33	33
Trowels, Disston's brick, 8-inch, No. 1.....per dozen.....	4.07	6.00	47
Vises:			
Armstrong's—			
Hinged, No. 1.....each.....	1.80	4.00	122
Combination, with leg sockets.....do.....	6.40	8.00	25
Bonney's, No. 112.....per dozen.....	2.25	2.84	26
Watches, Elgin movement:			
Twenty-year gold-filled case.....each.....	7.98	10.23	28
Silveroid case.....do.....	3.04	4.47	47
Wrenches, Hawkeye, "5 in 1".....per dozen.....	3.60	4.50	25

Showing differences in discounts between export and home prices.

Articles and description.	Export discount from list.	Home discount from list.	Difference.
	Per cent.	Per cent.	Per ct.
Auger bits:			
Irwin's solid center.....60, 10, and 10		50 and 10	39
Snell's.....70		60	33
Snell's "King".....60 and 10		50	39
Auger handles, Gunn's No. 5, adjustable and ratchet.....35		15 and 10	18
Bells, Texas cow.....50 and 10		50	11
Bird cages, Hendryx's brass.....50		30	40
Bolt clippers, "New Easy".....60, 10, and 5		50, 10, and 10	18
Bolts:			
Machine, $\frac{3}{8}$ by 4 inches and smaller.....80 and 10		75, 10, and 5	19
Carriage, $\frac{3}{8}$ by 6 inches and smaller.....80 and 10		75 and 10	25
Tire.....80, 10, and 5		80	17
Borers, bunghole, Enterprise.....40 and 2		25	27
Braces, Brays:			
Genuine "Spofford's".....70		60	33
Ratchet, Nos. 81-161.....60 and 10		50	39
Ratchet, Nos. 83-143.....60 and 10		50	39
Ratchet, Nos. 62-142.....70		50	60
Ratchet, Nos. 63-165.....60 and 10		50	39
Sleeve, Nos. 207-214.....60, 10, and 10		50	54
Sleeve, Nos. 407-414.....60 and 10		50	39
Sleeve, Nos. 603-614.....60 and 10		50	39
Plain, Nos. 306-314.....70		50	60
Can openers, "King".....25		33	33
Cartridges, rim fire.....60, 10, 10, and 6		50	64
Chains, kennel.....60 and 10		60	11
Office mills, Enterprise.....40 and 10		20 and 25	11
Door rollers and hangers, Lane's.....60, 10, 10, and 5		60 and 10	17
Gauges, Disston's steel and center.....45		25, 7 $\frac{1}{2}$, and 10	12
Harness snaps, Covert's:			
"Trojan".....50 and 10		40	33
"Yankee".....50		30 and 2	37
"Derby".....40 and 10		25	39
Lawn sprinklers, Enterprise.....40 and 2		30	19
Levels, Starrett's bench and pocket.....40 and 5		33 $\frac{1}{2}$ and 5	11
Oilstones, "Lily White" and "Washita," No. 1.....50		33 $\frac{1}{2}$	33
Plumbs, levels, etc., Disston's.....70, 10, 10, 10, and 5		60 and 10	72
Sausage stuffers, Enterprise.....40 and 2		25 and 7 $\frac{1}{2}$	18
Saws, Disston's:			
Nos. 7, 107, 107 $\frac{1}{2}$, 3, and 1.....45 and 7 $\frac{1}{2}$		30 and 7 $\frac{1}{2}$	27
Combination.....45 and 7 $\frac{1}{2}$		30 and 7 $\frac{1}{2}$	27
Nos. 12, 16, Ds, 120, 76, 8.....40 and 10		25 and 7 $\frac{1}{2}$	28
Compass and keyhole.....40 and 10		25 and 7 $\frac{1}{2}$	28
Butcher.....50		30	40
Framed wood.....50		25	50
Band.....70, 10, and 10		60	65
Scroll saws, Barnes's velocipede.....30		20	14
Screw-drivers, Disston's electric.....70, 10, 10, and 10		70	37
Smoked-beef shavers, Enterprise.....40 and 10		25 and 7 $\frac{1}{2}$	28
Squares, Disston's:			
Try, rosewood handle.....70, 10, 10, 10, and 5		60 and 10	72
Steel.....45		25, 7 $\frac{1}{2}$, and 10	13
Traps, Lovell's rat and mouse.....50		33 $\frac{1}{2}$	33
Trowels, Disston's brick.....45 and 7 $\frac{1}{2}$		25	47
Vises:			
Armstrong's—			
Plain and binged.....80 and 10		60	122
Pipe.....60		50	25
Bonney's.....50		30 and 10	26

The VICE-PRESIDENT. The Secretary will report the pending paragraph.

The SECRETARY. Page 214, paragraph 652.

Mr. KEAN. That has been agreed to.

The VICE-PRESIDENT. If there be no objection—

Mr. KEAN. That was agreed to last night with the words "or refined" stricken out.

The VICE-PRESIDENT. That amendment was agreed to. If there be no objection, the paragraph will be agreed to as amended.

Mr. STONE. Which paragraph?

The VICE-PRESIDENT. Paragraph 652.

Mr. STONE. I desire to make an inquiry. I do not see the Senator from Rhode Island present. I do not know who is in charge of the bill. Is the Senator from Utah?

Mr. SMOOT. The Senator from Rhode Island will be here in just a minute.

Mr. STONE. I observe, Mr. President, that in paragraph 59 caustic, or hydrate of, potash bears a duty of 1 cent a pound, and upon chlorate of potash there is 2 cents per pound, the latter being a reduction of one-half cent per pound below the Dingley rate. I wish to inquire of the Senator having charge of the bill why carbonate of potash and hydrate of, or caustic, potash, not refined, in sticks or rolls, are put upon the free list, while chlorate of potash, for instance, is put on the dutiable list. They have exactly, as I am informed, the same basic material, and both are used in the manufactures of this country. Chlorate of potash bears 2 cents under the bill, while carbonate of potash is put on the free list. Muriate of potash, which is the basic material of both, is found chiefly in Germany, and that country has a practical monopoly of the mines from which that material is derived. The raw material is largely imported here, and is used, so I am told, largely for fertilizing and other purposes. Muriate of potash is on the free list, as it should be, but if chlorate of potash is to be kept on the dutiable list, then carbonate of potash and caustic potash should also be made dutiable.

I do not see why this discrimination should be made, why a duty should not be levied upon the one as well as upon the other. A large amount of all these is being imported. I am informed that of carbonate of potash in 1907 over twenty-five and a half million pounds were imported; in 1908, over twenty-four and a half million pounds; and of caustic potash in 1907, 7,483,000 pounds; in 1908, 5,947,000 pounds. They ought to be made a source of revenue. I do not care to make any motion with reference to the matter, but I should like to ask the Senator from Rhode Island if he objects, or has a reason for objecting, to putting these articles on the dutiable list, and why they are discriminated against in favor of other like products.

Mr. ALDRICH. The deposits of potash in Germany give them a great advantage over everybody else in the world, and this potash goes into the production of fertilizers and various things of that sort. There is no competition in this country. There can be none. It has been thought desirable in all the tariff bills in recent years to keep it upon the free list, for the benefit of the consumers in this country, there being practically no competition here.

Mr. STONE. Then, I think I will in due time move to put chlorate of potash on the free list, for, if chlorate is to be put on the dutiable list, the other two ought to go on. They ought all to pay duty or all should be free.

Mr. ALDRICH. My opinion is there is no considerable manufacture of chlorate in the United States.

Mr. STONE. There is of the other.

Mr. ALDRICH. Not very much.

Mr. STONE. Not very much.

Mr. ALDRICH. It stands in a different position from muriate of potash, and the manufacturers in the United States having the advantage of free raw material—

Mr. STONE. The Senator did not understand me. I said nothing about muriate of potash. Muriate is the raw material—

Mr. ALDRICH. Yes.

Mr. STONE. Out of which the others are made; out of which chlorate of potash is made, caustic potash is made, and carbonate of potash is made.

Mr. ALDRICH. Of course chlorate of potash is not a fertilizer, and the farmers are not especially interested.

Mr. STONE. Neither is caustic potash.

Mr. ALDRICH. But it is used for making a great many things—soap making and for medicinal purposes. I think the paragraph is not exactly correct, but it is as near correct as we could make it in this connection.

The VICE-PRESIDENT. The RECORD shows that paragraph 652 was passed over at the request of the Senator from Wyoming. Does the Senator from Wyoming desire to take it up this morning?

Mr. ALDRICH. Mr. President—

Mr. CLARK of Wyoming. Is that soda?

Mr. ALDRICH. Not soda, but potash.

The VICE-PRESIDENT. The Secretary will report the next paragraph which has been passed over.

Mr. ALDRICH. Has the Senator from Wyoming any objection to paragraph 652?

Mr. CLARK of Wyoming. I think I have.

Mr. ALDRICH. Suppose we agree to it, and then if the Senator wants to take it up later, we will reconsider it.

The VICE-PRESIDENT. Without objection, paragraph 652 is agreed to.

Mr. OWEN. I have in my hand a copy of the proceedings of a conference of the independent oil producers and independent oil refiners, which took place in Washington, April 21, 1909. I should like to have it put in the form of a document (S. Doc. No. 88), if there is no objection.

The VICE-PRESIDENT. Is there objection? The Chair hears none. It is so ordered. The Secretary will report the next paragraph passed over.

The SECRETARY. The next paragraph passed over is 655.

Mr. ALDRICH. I offer as a new paragraph 655½, radium.

The VICE-PRESIDENT. The Secretary will report the amendment.

The SECRETARY. On page 215, after line 6, insert:

655. Radium.

The amendment was agreed to.

Mr. NELSON. With respect to paragraph 658—

Mr. LODGE. In paragraph 657 I move to strike out the comma after the word "gems" and to insert a semicolon; after the word "statuary," in the same line, I move to strike out the comma, and after the word "sculpture" I move to strike out the comma.

The VICE-PRESIDENT. Without objection, the amendments are agreed to.

Mr. NELSON. I desire to offer an amendment to paragraph 660.

Mr. ALDRICH. What is that?

Mr. NELSON. Paragraph 660. I ask that it may be reconsidered in order that I may offer an amendment.

The VICE-PRESIDENT. There is no amendment there. The Senator can offer his amendment.

Mr. NELSON. My amendment is to strike out, in line 3, page 216, the words "and sago flour," and in support of that amendment I ask that the letter which I send to the desk be read.

The VICE-PRESIDENT. The Secretary will report the amendment and, without objection, thereafter read the letter.

The SECRETARY. On page 216, after the word "crude," strike out the words "and sago flour."

The VICE-PRESIDENT. The Secretary will read the letter. The Secretary read as follows:

MINNESOTA POTATO STARCH COMPANY,
Anoka, Minn., May 3, 1909.

Hon. KNUTE NELSON,
Washington, D. C.

MY DEAR SENATOR: If not too late, I would like to call your attention to the clause in the proposed tariff bill placing sago and tapioca flour on the free list. This commodity comes into direct competition with the potato-starch business, which is manufactured quite extensively in this part of Minnesota, from culls and small potatoes; and also from the good ones during times of overproduction. The starch factories are, with hardly any exception, owned and operated by farmers in their respective communities. They are not, as the term is used, money-making propositions; but erected and operated for the purpose of protecting themselves against low-priced potatoes, poor crops, or seasons of rot. While sago and tapioca are called "flour," they are used for starch purposes, and should properly be classified as starch, for as such they come in direct competition with potato starch, and are used to replace this commodity in most instances. I know that the bill provides for the retaining of the tariff on potato starch, which is quite satisfactory; but statistics show that millions of pounds of sago and tapioca are now being imported each year, and replacing to a large extent the potato starch.

In fact, we know that for several years past the demand has been lessened considerable for potato starch, and largely on this account. I believe, and I think that the people of the West believe, that the tariff should be reduced only on the necessities of life; but I hardly see how this could be classed as such, as the production is used almost entirely in cotton and carpet mills. There is no trust or combination in the potato-starch business. The factories are all owned and operated in rural communities, and none of them are money-making propositions. Although the factories cost to build from \$12,000 to \$20,000, there are at the present time about 25 factories in Minnesota, and about the same number in northern Wisconsin, a few in the irrigated sections of Colorado, and the balance are all in the northern part of Maine, where the potato industry is carried on extensively; and without them it would not be safe for the farmers to plant such enormous acreage or engage so extensively in the raising of potatoes, for by the aid of the factories they are able to realize at least cost for their seed and labor from any crop they might raise. The new timber sections between Brainerd and Bemidji are destined to be great potato-raising sections, but without the factories they would be slow in developing.

If you can do anything in favor of a duty on sago and tapioca starch or flour, I am sure it would be very much appreciated.

Yours, truly,

ROBT. W. AKIN.

Mr. NELSON subsequently said:

Mr. President, I have some more letters which I should like to be incorporated with my remarks on this subject, following the letter which was read heretofore.

The PRESIDING OFFICER. Without objection, the letters referred to by the Senator from Minnesota will be so incorporated.

The letters referred to are as follows:

CALEY HARDWARE COMPANY,
Princeton, Minn., May 3, 1909.

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.

DEAR SIR: I write you in regard to duty on potato starch. I understand that sago flour and tapioca flour (which are potato starch) are on the free list.

Now, if there is not at least a duty of 1½ cents per pound placed on these products, it will practically close all of the potato starch industry in the West.

In foreign countries I understand they raise from 450 to 600 bushels of potatoes to the acre, and here in the West the farmers raise from 75 to 150 bushels to the acre, hence we can not compete with the foreign manufacturers at the same price, and we have been running our starch factory without making any money for some years now.

Now, Mr. NELSON, I hope you will interest yourself in behalf of the potato starch makers.

Thanking you in advance, I remain,

T. H. CALEY,
President Princeton Potato Starch Co.

THE FARMERS' COOPERATIVE STARCH COMPANY,
North Branch, Minn., May 3, 1909.

Hon. KNUTE NELSON,
Washington, D. C.

DEAR SIR: Having paid a close attention to the daily review by the United States Senate in relation to the fight going on there by some parties aiming to get the sago and tapioca (starches) on the free list, I have been instructed by managers of starch-manufacturing concerns to write and request that you give your earnest attention toward helping the elimination of such move. We, as starch manufacturers of such starch, need all the protection possible against foreign importers on equal basis with other interests. We believe in thus appealing to you for aid and support that you will stand by your duty, thus respecting the earnest desire and need of your constituents for the maintenance of the present prosperity, caused principally by the enactment of the McKinley Act. Believing this to be a just and reasonable request by your constituents and hoping to see the enactment of a just and fair duty on all starches, we beg to remain,

Yours, for permanent prosperity,

FARMERS' COOPERATIVE STARCH COMPANY,
C. E. OBERG, General Manager,
Per K. O. WARME, Secretary.

Hon. KNUTE NELSON, M. C.,
Washington, D. C.

RUSH CITY, MINN., May 7, 1909.

DEAR SIR: Are you aware of the fact that the proposed tariff bill now before the Senate specifically places sago and tapioca flours, which are starches, in the free list, and that it is going to require the concerted efforts of all American starch industries to bring enough pressure to bear to correct this great injustice? The imports of these starches have already increased from, roughly, 2,000,000 pounds in 1882 to 50,000,000 pounds in 1908. The increase during the last five years alone being about 34,000,000 pounds, with every indication that it will not only continue but more largely increase if free of duty.

We respectfully urge upon you to support the movement for the elimination of sago and tapioca flours (starches) from the free list. This is vital to the potato-raising farmers of Chisago County, as well as all adjoining counties in this great potato belt.

Please do your best to promote our industry by not allowing these other starches to enter free of duty.

Yours, very truly,

RUSH CITY STARCH COMPANY,
By C. M. JOHNSON, Secretary.

Mr. ALDRICH. The proposition of the Senator from Minnesota is to take an article which has always been upon the free list and put it upon the dutiable list at a very high rate. I think the facts as stated by the Senator's correspondent are not correct. There is a combination in this business, which may not include the gentleman who writes the letter, but does include a large part of the business, I think. I am quite willing that this amendment should go over. I think I can convince the Senator that this attempt to revise the tariff upward to a very great extent is not justified by conditions.

Mr. NELSON. Whether there is a starch trust or not I do not know; but there is certainly no starch trust among the people of Minnesota. In a certain portion of our State, the northeast portion, which was originally a pine country—it is rather sandy land—they found it difficult to make a living raising small grain, and they went into the business of raising potatoes. In order to have an assured market for their potato industry they organized small companies and built small starch factories. When potatoes are high those starch factories are not in operation, because as a rule when potatoes out in that country sell for more than 25 or 30 cents a bushel, it does not pay the starch factories. But there are many seasons when potatoes are as low as 15 and 20 cents a bushel. At that time they can not afford to ship them on account of the freight, and they are utilized by the local starch factories.

The large importation of sago flour comes in direct competition with the potato-starch industry, and they feel that as

long as they submit to protection in all other directions they ought to have some protection in reference to this industry. I have simply presented their case on its merits here, and I do not intend to take up the time of the Senate. I will say that there are something between 25 and 30—I do not know exactly, but I believe the letter states 25—of these starch factories in the State of Minnesota. I do not think any of them belong to the trust, for they are mainly like the creameries in Minnesota, the property of farmers who furnish the raw material to the factories. If we are going to distribute protection liberally, I do not know why these potato-starch manufacturers can not have the benefit.

I might say that my good friend the Senator from Delaware [Mr. DU PONT] succeeded in getting the tariff on potatoes raised a good deal. That is a great advantage to the farmers here on the seaboard. But, owing to the transportation rates, even if you put the tariff on potatoes up to 75 cents a bushel, it would be of no avail and would be no protection to the farmers of Minnesota. I can remember that a number of years ago I had quite a liberal crop of potatoes on my farm and I succeeded in selling a part of them for 15 cents a bushel at home, and the balance were left in the ground, because I could not afford to ship them to St. Paul and Minneapolis on account of the railroad freight. So the only way we can get protection is by means of this industry in the manufacture of sago flour, and this tariff will be a help to the people of the Mississippi Valley.

Mr. ALDRICH. Sago flour and tapioca flour are articles of food in almost every household in the United States. They are now and have been for many years free of duty. The suggestion that they be taken from the free list and be put on the dutiable list, according to the contention of our friends who are talking about a tariff revision downward, would amount to several hundred per cent increase, and it seems to me a rather startling proposition for the Senator from Minnesota to make.

I appreciate fully his desire to look after the farmers of Minnesota, and especially the companies or corporations engaged in the manufacture of potato starch, but it is contrary to my ideas of tariff revision—as I have thought it was to the idea of tariff revision held by the Senator from Minnesota—that the duties on articles of food certainly should not be largely increased above the present law. These articles are not made in the United States; they can not be grown in the United States. They go into the household of every family in the United States. It seems to me that this is a very unusual character of tariff revision upward.

Mr. GALLINGER. Mr. President, some time ago a gentleman, who formerly resided in New Hampshire, called on me with a suggestion that he was about to engage in some other State in the manufacture of potato starch and very much desired that sago flour should be put on the dutiable list. Without looking into the matter, I submitted a proposed amendment, which is in print. After that I made inquiry about the matter and found that sago flour is used largely in our manufactures as well as in the manufacture of oilcloth and linoleum. I understand that the cotton manufacturers have not found any other article that will take the place of sago flour in their manufacture. That is an added reason to the reason submitted by the Senator from Rhode Island why I feel that the change ought not to be made. I fully persuaded myself that what I first contemplated doing was a mistake.

I trust, Mr. President, that sago flour will be allowed to remain on the free list, where it has always been, I understand, and where I think it ought to remain.

Mr. JOHNSON of North Dakota. I understand that sago flour is provided for in the tariff act of 1897, in paragraph 652, which reads:

Sago, crude.

Exactly as paragraph 660 of the pending bill would read if the amendment of the Senator from Minnesota passes.

Mr. ALDRICH. But sago, crude, has been held by the customs officers and by all the decisions to include sago flour.

Mr. GALLINGER. And by the courts.

Mr. ALDRICH. And by the courts. It has been absolutely settled. This is simply to put into words what all the decisions upon this matter have been.

Mr. JOHNSON of North Dakota. Mr. President, there is a defect, then, in our tariff law. Here is a crude raw material that can not be produced in our climate. Sago is the product of tropical climates. Under all the policies of the party we have admitted articles of that kind free of duty. I am not prepared now, while on my feet, to write a paragraph that would fit the case, but the distinction, in my mind, is a clear one that all the articles we can not produce in our own country should be admitted free. That is the way the present law reads. I dare say the Senator from Minnesota or some member of the

Finance Committee could so amend the paragraph as to admit this raw material, which we can not produce here, free of duty, and give the manufacture of that flour to our own workshops. It is the same principle we applied to logs. We put logs on the free list because we could not produce them in sufficient quantities, and we protected American labor by putting a duty on the manufactured products of logs.

There is another reason, too, why I think we should have a tariff on this article, even if there is no way of distinguishing between crude sago and sago flour. In the State I in part represent we had years ago these sago starch factories. There were two of them I was quite conversant with at Hillsboro and at Hankinson. I spoke with some of the proprietors of those factories, now long since closed, and they told me that at the time when they went out of business, finding it not profitable, they were not aware of the causes why the business was unprofitable, but they have learned since, they told me, it is on account of the growing and excessive competition of sago flour which comes to them already manufactured from foreign countries.

I am a little more radical than my friend from Minnesota as to the benefit of the duty on potatoes. While I would not for a moment pretend that the duty of 45 cents a bushel on potatoes will raise the price of every bushel of potatoes in North Dakota to that extent, yet I do contend that the same principle applies to it as to the lemon raisers of California. The slight duty of a quarter of a cent a pound on lemons extends the market of the California lemon producer beyond the Missouri River and may enable him to reach the markets of New York City.

Exactly the same economic principle applies to us in the matter of potatoes. We usually here in Washington find foreign potatoes in the market. I have known the time, when keeping house in Washington, I was unable to find anything but imported potatoes, Scotch and Irish potatoes, in the market here in the city of Washington, and I found the reason for that was that the freights were so much cheaper from Edinburgh and Dublin to Washington than they were from Grand Forks, N. Dak., that it was impossible for us to compete. We produce the nicest potatoes in the world. They are in every way superior and would come in competition on their merits, but the tariff was not high enough to enable us to reach Washington and New York. Now, since levying a duty of 45 cents a bushel on potatoes you will find nice, mealy, glistening potatoes here next year in Washington, such as you never found before, and they will come from North Dakota. Leave the law as it was and relieve us from this competition of a foreign, ready-made, completed, finished manufactured article of sago flour, and we will put into the cotton mills of New Hampshire and Massachusetts a superior article of starch that will give a gloss and a luster that will make them think the cloth goods were mercerized.

Mr. SCOTT obtained the floor.

Mr. BACON. Mr. President—

The VICE-PRESIDENT. Does the Senator from West Virginia yield to the Senator from Georgia?

Mr. SCOTT. I do.

Mr. BACON. I simply desire to ask the Senator from North Dakota if that pretty gloss would not disappear with the first washing.

Mr. JOHNSON of North Dakota. I am not an expert in the manufacture of cloth, and I can not answer.

Mr. SCOTT. Mr. President, after six or eight weeks' warring on the trusts of this country by the progressives, I would like to say for the benefit of our friends the progressives here it is strange that the Senator from Minnesota would ask to have this article put under a protective duty and taken out of the free list, because we all know that the starch trust is one of the greatest that we have in this country. My friend on my right, the Senator from Nebraska [Mr. BURKETT], says that one of the large starch factories in his State was bought up by the trust and then closed down.

While keeping sago flour on the free list may work an injustice to the small starch manufacturers in Minnesota and other States, yet it seems to me that to put a duty on it would be in the interest, as I take it, of the starch trust, if the rule worked in this case as our friends say that it worked with the United States Steel trust. Some of us who are interested in the outside or independent steel corporations say that the action to punish the United States Steel Company punishes the independent operators, and that is the case with my friend from Minnesota. If we punish the starch trust, then we punish these independent operators. But must we legislate, as they have claimed that we should not, in the interest of the starch trust?

Mr. CUMMINS. Mr. President, I fear the Senate has not received an adequate understanding of this subject from the statement of the Senator from Rhode Island.

Passing, however, from the Senator from Rhode Island to the last suggestion of the Senator from West Virginia [Mr. Scott], I beg to say that no taunt of inconsistency could deter me from walking straight forward in the path that I have laid out for myself. I have not voted or asked that others should vote for putting the products of iron and steel on the free list, notwithstanding the fact that the monopoly is there as complete as it can be found in any field of industry. I have not asked that the products of any field of enterprise that may be partially or wholly monopolized shall be put on the free list, for I said in the beginning that I did not believe that was the way to treat the trust question. It may be the way to treat the monopoly question, but not the question that we ordinarily mean when we use the word "trust."

Now, let us see a moment with regard to sago flour. When the Dingley law was passed there was no such thing known commercially as sago flour used for starch.

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. Certainly.

Mr. ALDRICH. To my certain knowledge, by experience, there has been sago flour imported into the United States for very, very many years.

Mr. CUMMINS. The Senator from Rhode Island, however, did not answer my statement. I am informed that until recently sago flour was not used in any large quantity anyhow for starch.

Mr. ALDRICH. Mr. President, it is not now used for starch in any quantity.

Mr. CUMMINS. Precisely. If that be true, then there is no use for taking this article from the free list. My information is that the United States used last year—I will not attempt to give the exact number of pounds, but as I remember it, 30,000,000 pounds of sago flour and tapioca flour for starch.

Mr. ALDRICH. We did not use one single pound for starch, in my judgment. Sago flour and tapioca flour are used for food. They are used for filling cotton goods, oilcloths, woolen goods, and a great variety of manufactures for filling. It does not take the place of starch at all.

This is rather a remarkable proposition in any event, that an article grown in the Tropics, and which can not be produced in the United States at all, shall be forced out of use for the benefit of another industry which makes another article, and in which I think there is the largest and most flagrant combination—if that is an objectionable feature—of any in the United States.

Mr. CUMMINS. The men who are engaged in making starch tell me that the sago flour, especially, is used for starch, and is used in competition with the starch made in the United States.

I am perfectly willing to put all starch on the free list; but if you intend to put any starch on the dutiable list, then you have no right to discriminate against the men in my part of the country. You put, as it seems to me, in the most ridiculous fashion, a duty of 15 cents a bushel on corn, and yet the only way in which you can give the corn producer the very slightest protection is to put a duty upon the starches that come into competition with the starch made from corn. I am not now speaking of potatoes so much. If I am wrong—

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. CUMMINS. Yes.

Mr. ALDRICH. Does the Senator think that it is a proper application of the protective principle to put a prohibitory duty upon an article which can not be produced in the United States to keep it from competition with another article that is produced in the United States?

Mr. CUMMINS. Mr. President, the question of the Senator from Rhode Island is very misleading. It is true that sago can not be produced in the United States, for it is a tropical tree or shrub; but sago flour, when it reaches that condition, is starch, and it is exactly like cornstarch, so far as its use is concerned and so far as its effect is concerned.

I do not mean to say that there is not a difference between the quality of cornstarch and sago starch, but I do assert that they are used for exactly the same thing, although sago starch may have other uses as well. I do not want to put any duty whatsoever on sago flour or sago in any other form for food. I do not want to see any duty put on tapioca flour or any other product of sago flour that is edible; but when you bring into

this country a starch—and I assert that sago flour is starch pure and simple, and is nothing else but starch—

Mr. ALDRICH. If the Senator will turn to paragraph 292—

Mr. CUMMINS. I have it before me, Mr. President.

Mr. ALDRICH (continuing). He will find that "all other starch, including all preparations, from whatever substance produced, fit for use as starch"—

Mr. CUMMINS. Precisely.

Mr. ALDRICH. Is dutiable at 1 cent per pound. That answers the Senator's argument conclusively. I will say that this article is not used as starch, and the Senator can not produce any evidence that it is used as starch. It is used for an entirely different purpose. If it were used as starch, and fit to be used as starch, it would be dutiable at a cent a pound, under the provisions of the paragraph which I have just read.

Mr. CUMMINS. That is the very difficulty with this arrangement. If it were not for the specific reference to sago flour in the paragraph now under consideration, paragraph 292 would cover the case completely. You have provided that "all other starch, including all preparations, from whatever substance produced, fit for use as starch, 1 cent per pound," and then you provide specifically for sago flour, which, as I assert again, is starch and nothing else but starch, at least I am so advised by those in whom I have the highest confidence. I do not pretend to any technical knowledge of my own, but we have two cornstarch manufactories in the State of Iowa. They are independent of the Corn Products Company, and they are trying to get along as best they can.

I do not value very highly the duty on corn, but I do believe that there ought to be a duty upon the product of starch. You have given us a duty on starch, and yet by the employment of the words "sago flour" in the free list you take out of the operations of paragraph 292 the starch that is known to commerce as "sago flour." I am perfectly willing that sago in all its forms except starch shall be admitted free.

Mr. McCUMBER. Will the Senator suggest the character of an amendment that he would offer to the paragraph so that it shall apply only to sago flour not suitable for the uses of starch?

Mr. CUMMINS. I prepared an amendment. I handed it to some member of the Finance Committee long ago, and I had some reason to believe that it would meet with a favorable consideration, but it has not. I have not at hand that amendment, but the statement just made by the Senator from North Dakota would fit the case precisely. If you just add to this paragraph in the free list, after the words "sago flour," the words "not fit for use for starch," if, as the Senator from Rhode Island says, it is not starch and is not used for starch, it would do nobody any harm.

Mr. ALDRICH. Here is an amendment to take an article of food, which has been free for almost a generation, an article of food in common use, from the free list and put a prohibitory duty on it; not to protect any manufacturer in the United States of the same article, but for the benefit of another article that is produced and controlled by a great combination in the United States. I say, if the Finance Committee had made this recommendation, the country would have rung from one end to the other about the enormity of even the suggestion. The proposition is not defensible from any standpoint, and I am surprised at this attempt, when the opposite course was taken so recently by the Senators who are advocating this change. It might have been all right if it had been made weeks later. I say, we are not bound as protectionists, it seems to me, to try to exclude one article because it may possibly compete with another.

Mr. BEVERIDGE. May I ask the Senator a question, with the Senator's permission?

Mr. CUMMINS. I have been trying to get the attention of the Chair to ask the Senator from Rhode Island a question.

Mr. ALDRICH. I will be very glad to answer it.

Mr. CUMMINS. This is the question I desire to ask: When sago flour is mentioned in commerce, does the Senator from Rhode Island assert that it embraced the edible products of sago? Do you not know that sago flour is not eaten at all?

Mr. ALDRICH. Sago flour does embrace edible articles. It is used in that direction, and was imported as sago flour for years free of duty.

Mr. CUMMINS. That answer is not entirely right, as it seems to me, because you have put sago flour in the law for the first time. It never had been mentioned at all in a tariff law.

Mr. ALDRICH. But the Senator is willing to admit, I suppose, that it has been admitted free of duty under the decisions of the courts and of the appraisers.

Mr. CUMMINS. Precisely; it has been admitted free of duty very recently; but originally, when it began to be imported here, it was admitted as starch and paid a duty of a cent a pound. I am so informed.

Mr. CRAWFORD. Mr. President, I desire to ask what duty it will bear if it is taken from the free list? What is the proposition? What rate will be imposed upon it if it is stricken out of the free list?

Mr. CUMMINS. If the words "sago flour" are stricken from the free list, it would then fall under paragraph 292 as a starch.

Mr. ALDRICH. I beg the Senator's pardon; under the decisions of the courts, it would not fall there at all.

Mr. CUMMINS. I am willing to risk it.

Mr. ALDRICH. Of course the Senator is willing to risk it, because it would pay a much higher duty.

Mr. CUMMINS. I do not quite catch the import of the statement just made.

Mr. ALDRICH. I say it would pay a higher duty than 1 cent a pound. Of course the Senator is willing to risk it.

Mr. CUMMINS. Mr. President, that accuses me—

Mr. ALDRICH. Oh, no; I did not accuse the Senator—

Mr. CUMMINS. Of bad faith.

Mr. ALDRICH. Oh, no; I beg the Senator's pardon.

Mr. CUMMINS. I say it would fall under paragraph 292, as I understand it, and would bear a rate of 1 cent a pound.

Mr. ALDRICH. That depends upon whether it is starch or not, and the courts have decided that it is not starch.

Mr. NELSON. Mr. President, the Senator from West Virginia [Mr. SCOTT], seems to be troubled a good deal about my attitude on this tariff question. It does not trouble me at all. I am always here to do what I think is right from my standpoint, and to represent, as far as I can, the people of the State of Minnesota.

This trust that is spoken of is not a trust among the manufacturers of potato starch; it is among the manufacturers of what is commonly called "cornstarch." I will state what the trouble here is, and I am surprised that my friend from Iowa [Mr. CUMMINS] did not see it. This is a case where the farmers of Minnesota run up against the cotton manufacturers of New England again. Sago flour is used in the manufacture of cotton as a filling. If it was not for that, if it was merely a matter of food, I have no doubt but that the Senator from Massachusetts and the Senator from Rhode Island would have no conscientious scruples; but it interferes with the cotton manufacturers of New England. They want this article in their industry free, and although it comes in competition with the potato farmers of Minnesota that has nothing to do with the matter.

Those cotton manufacturers must not only have their tariff increased, as we increased it by five paragraphs in the cotton schedule, but in addition to that they want free raw materials in their manufacturing industries. I am not surprised at it, and I throw myself upon the mercy of the country. All I can do in this case, in the face of the combination that confronts us here, is to enter a plea of nolo contendere. That is all a poor criminal can do when the court and the jury and everything is set against him.

Mr. FRYE. Mr. President, in Aroostook County, the northeast county in the country, I think there are from 30 to 40 potato-starch mills. They use up practically those potatoes that are not in first-class shape as merchantable. It is a very important industry. They protest very seriously against free sago flour and tapioca, because they assert that they are used as starch. They suggested to me that all they would ask in this bill was that the items relating to sago and tapioca flour should be amended by adding to them "to be used as food." That is satisfactory to the Senator from Minnesota?

Mr. NELSON. Certainly, that would be satisfactory. That is all I ask.

Mr. FRYE. What is the objection to adding to "sago and tapioca" the words "to be used as food?"

Mr. ALDRICH. I have no objection especially to the words being added, but I can not understand how a customs officer could tell whether tapioca imported was to be used for food or some other purpose. It strikes me that the provision would be useless. However, I have no objection to putting those words in if the Senator desires to have them inserted.

Mr. FRYE. Mr. Fair, who is a very intelligent man and the collector of Aroostook County, suggested those words to be added, stating that they would be satisfactory. He ought to know.

Mr. ALDRICH. I will accept the amendment.

Mr. MONEY. I wish to know whether I understand the proposition correctly. Has the Senator from Rhode Island

[Mr. ALDRICH] accepted the proposition that sago flour is to be admitted free of duty when used for food or other purposes?

Mr. ALDRICH. No; but when it is to be used for food.

Mr. FRYE. "To be used as food."

Mr. JOHNSON of North Dakota. Mr. President, we were unable in this part of the Chamber to hear the amendment suggested by the Senator from Maine [Mr. FRYE].

Mr. FRYE. It was suggested to me by the starch makers in Aroostook County, Me., that it would be satisfactory to them if, after the words "tapioca-flour and sago-flour products," the words were added "to be used as food."

Mr. CRAWFORD. Mr. President, I do not quite see how the addition of those words will settle this question. How are you to tell if sago flour, imported for the purpose of being used in cotton mills, is identically the same as the sago flour used as food? How are you going to tell what the intention of the importer is—whether he is going to use it in a cotton factory or use it as an article of food? A mere designation of that kind, as to what use it is to be put, seems to me is going to be a general term which will not settle this question.

Mr. FRYE. Mr. President, I do not know; but these men, who are making potato starch in Aroostook County, are very intelligent men and do understand this subject. Mr. Fair, who made this proposition to me, is the collector. He said there was no difficulty in settling the question whether this article was to be used as flour or as starch, and he stated that the Aroostook farmers would be satisfied to have the words which I have suggested added. I have done my duty to them in accepting their proposition, so far as I am concerned.

Mr. McLAURIN. Mr. President, I should like to know whether this article of food is to be free of duty only when it is to be used by the importer?

Mr. ALDRICH. Oh, no.

Mr. McLAURIN. If not, then the importer imports it for sale; and how can it be told how the purchaser of it from the importer is going to use it? How can he be held to give bond or security or assurance that the man to whom he sells it will use it for food, and for nothing else? It seems to me that it is a provision that could not be enforced nor be regulated at all. I can not see, for my life, how the importer can be held to guarantee in any way, or how he could guarantee in any way, that his vendee will use it for food, and for nothing else. It seems to me that such a provision will complicate the bill very much.

Mr. ALDRICH. Mr. President, the Senator from Michigan [Mr. BURROWS] has an amendment, which has been prepared by tariff experts, who say that it would be enforceable, which is substantially the same as that proposed by the Senator from Maine [Mr. FRYE].

Mr. BURROWS. Mr. President, in harmony with the suggestion of the Senator from Maine, I have submitted this matter to the Board of Appraisers on this very question, having from my State numerous complaints in the apprehension that the starch industry would be interfered with. The Board of Appraisers suggest the very amendment, in substance, which the Senator from Maine has submitted, which is to strike out the words contained in the bill and insert "sago flour when used for food." I send that and another amendment to the desk.

Mr. ALDRICH. That is the same thing.

Mr. BURROWS. It covers the same thing.

The PRESIDING OFFICER (Mr. DEFEW in the chair). The question is on the amendment proposed by the Senator from Michigan [Mr. BURROWS].

Mr. NELSON. Mr. President, if that is satisfactory to the Senator from Michigan and the Senator from Maine, I shall accept that as a substitute for my motion.

Mr. BURROWS. I think that covers it.

Mr. McLAURIN. I suggest that, instead of saying "when used for food," the words "susceptible of use for food" be inserted.

Mr. ALDRICH. No.

Mr. FRYE. That will not do.

Mr. McLAURIN. If you insert the words "when used for food," it can not be imported at all, because it will have been used for food.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Michigan [Mr. BURROWS], which will be stated.

The SECRETARY. In paragraph 660, page 216, line 3, after the words "sago flour," it is proposed to insert "when used for food."

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment proposed by the Senator from Michigan [Mr. BURROWS] will be stated.

The SECRETARY. It is proposed to add the same words after the words "tapioca flour," in paragraph 685, on page 219, line 1.

Mr. CRAWFORD. Is it proposed to insert the words "when used for food?" It seems to me such an amendment is farcical. I do not know what it means.

Mr. ALDRICH. That was the suggestion of the expert. I will say, however, to the Senator from South Dakota, that we shall hereafter take care of the phraseology; which, however, I think is all right; but if it is not all right, we shall make it so.

The SECRETARY. In paragraph 685, page 219, line 1, at the end of the paragraph, it is proposed to add the words "when used for food."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Michigan.

The amendment was agreed to.

Mr. ALDRICH. I now ask that the paragraph as amended be agreed to.

The paragraph as amended was agreed to.

Mr. ALDRICH. On page 216, line 13, in paragraph 664, the word "seedlings" should be stricken out and the word "seeds" inserted. The Senator from Minnesota [Mr. NELSON] has called my attention to that.

The PRESIDING OFFICER. The amendment proposed by the Senator from Rhode Island will be stated.

The SECRETARY. In paragraph 664, page 216, line 13, it is proposed to strike out the word "seedlings" and to insert in lieu thereof the word "seeds."

The amendment was agreed to.

Mr. DOLLIVER. Mr. President, has paragraph 665 been disposed of?

The PRESIDING OFFICER. It has not yet been disposed of.

Mr. ALDRICH. The Senator from Delaware [Mr. DU PONT] has an amendment, which I think he proposes to now offer.

Mr. DU PONT. Do I understand that paragraph 665 has been taken up, Mr. President?

The PRESIDING OFFICER. Paragraph 665 is now before the Senate.

Mr. DU PONT. Mr. President, I have an amendment to offer to that paragraph which is in relation to sheep dip. Sheep dip, I will say briefly, is simply a preparation which interests all agriculturists who are engaged in the raising of sheep. It is an insecticide. The trouble with the paragraph as it now stands, which is identical with the provision of the Dingley law, is that it includes any preparation or compound that is used for any other purpose. As a matter of fact, being an insecticide, most of the sheep dips contain carbolic acid and other similar articles, which are disinfectants; they are disinfecting compounds as well as insecticides; consequently I offer the amendment to remedy that. I now send the amendment to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Delaware will be stated.

The SECRETARY. In lieu of paragraph 665 it is proposed to insert the following:

665. Sheep dip, not including any compound or preparation that can be used for any other purposes than that of a disinfectant, antiseptic, or insecticide.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Delaware.

Mr. DU PONT. I hope the committee will accept that amendment.

Mr. ALDRICH. The committee are willing to accept the amendment.

The amendment was agreed to.

Mr. SCOTT. Mr. President, I wish to ask the chairman of the Committee on Finance why, in paragraph 666, shotgun barrels in single tubes are put on the free list? I ask the question for information.

Mr. ALDRICH. Our manufacturers have never been able to make this class of shotgun barrels, and it is a matter of protection to the shotgun makers of this country.

Mr. SCOTT. If we were to put a duty on shotgun barrels, tubes, and so forth, could they not then be made in this country?

Mr. ALDRICH. I think not. I have never heard any claim that they could be.

Mr. BEVERIDGE. It would be a source of revenue.

Mr. ALDRICH. It would be a source of revenue, but it would destroy the shotgun manufacturers of the United States; that is, unless you readjust the rates. I have never heard any complaint on account of the fact that these articles were on the free list.

Mr. SCOTT. Nor have I. So far as I am concerned, I am not much in love with the free list, anyway.

The PRESIDING OFFICER. The Senate has not yet acted upon paragraph 665 as amended. That is now the pending question.

The paragraph as amended was agreed to.

Mr. ALDRICH. In paragraph 667 the committee have an amendment. That paragraph relates to shrimps and other shellfish. I move to add to that the words "not otherwise provided for in this section."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Add at the end of the paragraph the words "not otherwise provided for in this section."

The amendment was agreed to.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The SECRETARY. Paragraph 674½, spices—

Mr. KEAN. That was agreed to.

The PRESIDING OFFICER. No; it was passed over at the request of the Senator from Delaware [Mr. DU PONT]. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. HEYBURN. I inquire as to the status of paragraph 672?

The PRESIDING OFFICER. It has been agreed to.

Mr. LODGE. That is always in tariff bills.

Mr. ALDRICH. That does not interfere with the question of the duty on hides.

Mr. LODGE. It is an old provision.

Mr. HEYBURN. Well, we will see when we come to the hide item.

The PRESIDING OFFICER. The Secretary will state the next paragraph passed over.

The SECRETARY. Page 219, paragraph 691, tin ores—

Mr. GORE. Mr. President, I desire to offer an amendment to paragraph 664, and I ask unanimous consent to do so at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none.

Mr. GORE. Mr. President, at the close of the paragraph, in line 15, I move to add these words:

Provided, however, That all bulbs and bulbous roots of every description shall be admitted free of duty whenever grown in and imported from any country which shall admit to its ports free of duty wheat grown in the United States or flour manufactured therefrom.

Mr. ALDRICH. What paragraph is that?

Mr. GORE. Paragraph 664, at the close of the paragraph.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. Add at the end of paragraph 664 the following proviso.

Provided, however, That all bulbs and bulbous roots of every description shall be admitted free of duty whenever grown in and imported from any country which shall admit to its ports free of duty wheat grown in the United States or flour manufactured therefrom.

Mr. GORE. Mr. President, I submit that amendment because the millers of the country seem to manifest a good deal of concern in it. They seem to think that if we should let down the bars with reference to the importations of bulbs from Holland we might possibly obtain some concessions with reference to our exports of wheat, and especially flour, to that country, so that it might bring about reciprocal arrangements that would be beneficial, not only to the millers, but to the growers of wheat.

Mr. McCUMBER. Mr. President, I simply want to say that I have had the same matter under consideration, and with special reference to the bulbs imported from Holland. There appeared before a subcommittee representatives of the importers, together with representatives of the raisers of bulbs in this country. Those who are importing from Holland were perfectly satisfied with a rate that would be equivalent to one-fourth of a cent a pound. Upon an examination, however, of the character of the importations it was found, for instance, that bulbs of a certain class coming from Holland would weigh three or four times as much as bulbs of a similar kind coming from France, as between Holland and France. We went over the matter very carefully and fixed a rate that would be about equivalent to one-fourth of a cent per pound by placing a specific duty upon all of the different kinds of bulbs by the thousand in number rather than by the pound. That has practically been agreed upon by the Committee on Finance, and it seems to be entirely satisfactory to the bulb raisers, so far as I understand, and it is all they have asked for.

Mr. ALDRICH. It has been also agreed to by the Senate, has it not?

Mr. McCUMBER. Yes; I believe it has already been agreed to by the Senate.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Oklahoma [Mr. GORE].

The amendment was rejected.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The SECRETARY. Paragraph 691, tin ore, and so forth—

Mr. ALDRICH. Mr. President, the senior Senator from South Dakota [Mr. GAMBLE], who is now absent, desires to submit some remarks upon this paragraph. I think, however, we might agree to the paragraph, with the understanding that when the Senator returns—he is now absent from the city—he shall have an opportunity to have it reconsidered for the purpose of making his remarks. I call the attention of the junior Senator from South Dakota [Mr. CRAWFORD], who is now in his seat, to the statement which I have just made. I said that the senior Senator from South Dakota desired to submit some remarks on this paragraph.

Mr. CRAWFORD. Is that the tin-ore paragraph?

Mr. ALDRICH. Yes.

Mr. CRAWFORD. The senior Senator from South Dakota is absent to-day, but before that paragraph is finally acted upon he desires to submit some remarks upon it.

Mr. ALDRICH. I suggested that the paragraph be agreed to, and that I would ask for a reconsideration when the Senator's colleague returns, so as to enable him to submit his remarks.

Mr. CRAWFORD. That is satisfactory.

The PRESIDING OFFICER. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. LODGE. On page 221, paragraph 708½, which has been agreed to, in line 10, after the word "rattan" and the comma, I move to insert "reeds, unmanufactured," and a comma.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 221, in paragraph 708½, in line 10, after the word "rattan" and the comma, it is proposed to insert the words "reeds, unmanufactured," and a comma.

Mr. SCOTT. Mr. President, in that same paragraph, in line 6, I should like to have stricken out the words "briar root or briar wood and similar wood unmanufactured."

Mr. ALDRICH. I hope that that amendment will not be agreed to. I am willing, however, to let the matter go over, for the consideration of the committee.

Mr. SCOTT. While the wood schedule was under consideration, if the Senator will remember, he promised me that I should have a hearing for our laurel-root pipes.

Mr. ALDRICH. The Senator will have that hearing.

Mr. SCOTT. I will let it go over with that understanding.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. LODGE], which has been stated.

Mr. CLAY. The Senator from Massachusetts has offered an amendment to paragraph 708½. As I understood, although I am not certain, the amendment was in line 10, after the word "rattan." I should like to inquire what words the Senator moved to insert?

Mr. LODGE. "Reeds, unmanufactured."

Mr. CLAY. That has reference to chair canes?

Mr. LODGE. Chair canes are covered by a duty, but the other reeds are not. This is simply to restore the old language, which was omitted from this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts.

The amendment was agreed to.

The paragraph as amended was agreed to.

The PRESIDING OFFICER. The next paragraph passed over will be stated.

The SECRETARY. Page 223, paragraph 711½, works of art, and so forth, inserted as a new paragraph by the committee.

Mr. LODGE. Mr. President, I desire, on behalf of the committee, to modify that amendment in line 8, page 224, before the word "Works," by inserting the word "Other," and after the word "art," by inserting "except rugs and carpets."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 224, in paragraph 711½, line 8, before the word "Works," it is proposed to insert the word "Other;" to make the word "Works" begin with a small "w;" and after the word "art," to insert the words "except rugs and carpets."

Mr. GALLINGER. Mr. President, I ask the Senator from Massachusetts if that will allow tapestries to come in under this provision free of duty?

Mr. ALDRICH. I think it would.

Mr. LODGE. Unquestionably, tapestries would come in free of duty if they are more than 100 years old.

Mr. GALLINGER. The older they are the more valuable they are. It seems to me that we ought to have a duty on tapestries, and I move to amend by adding "tapestries" to the enumerated articles, so that it will read "except rugs, carpets, and tapestries." I move that amendment.

The PRESIDING OFFICER. The question is on the amendment.

Mr. SCOTT. Let the amendment of the Senator from Massachusetts [Mr. LODGE] be stated, so that we may know what it is.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. It is proposed to amend the amendment of the committee, beginning in line 8, so that it will read: "Other works of art"—

Mr. LODGE. Has my amendment been agreed to?

Mr. GALLINGER. No; I have moved an amendment to it.

Mr. LODGE. Of course the Senator can not do that, my amendment being an amendment to an amendment of the committee. That would be an amendment in the third degree, but I am willing to accept it, if there is no objection, though it is not parliamentary.

Mr. GALLINGER. I have no objection to having the matter disposed of in a parliamentary way. Let the Senator's amendment be adopted first, and then I will move my amendment.

Mr. LODGE. I am perfectly willing that the amendment shall be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts to the amendment of the committee. If there be no objection, the amendment to the amendment will be considered as agreed to.

Mr. CARTER. Mr. President, if an objection may be lodged, I hope the proposed amendment will not be considered as agreed to. In view of the amendment as originally presented by the Senator from Massachusetts [Mr. LODGE] I venture to predict that tapestries might be excluded under the paragraph. If admitted free at all, tapestries over 100 years old would be admitted under the designation "artistic antiquities." I believe that tapestries 100 years old or more should not be subject to a duty. They are generally introduced for the purpose of permanent exhibit in the museums and art collections of the country, and there does not seem to be any argument available in favor of admitting a picture 100 or more years of age free of duty which does not apply with equal force to tapestries.

Mr. LODGE. The limitation is 20 years in the case of pictures or sculptures.

Mr. CARTER. Twenty years. But, Mr. President, if a picture over 20 years old should be admitted free of duty to encourage art and to cultivate an artistic taste in this country, most assuredly a duty should not be levied on a tapestry more than 100 years old, which can not, in the nature of things, enter into the commerce of the country in competition with anyone and which, from the artistic character of the production and its antiquity, will constitute a most interesting exhibit in any of our great art galleries. There are few homes in which tapestries over 100 years old are kept for private exhibition. They are as clearly contributions of interest and value to the art galleries as the paintings or the porcelains or the etchings or the engravings mentioned in this paragraph.

Porcelain is produced by one method, bronze by another, marble by another, and terra cotta by still another. Tapestry embodies in its construction more skill and patience and time than any of the other creations referred to in the paragraph. It would be strange, indeed, if a piece of porcelain in a given art gallery in this city could be pointed to as having been admitted free of duty because more than 100 years old, while the tapestry on the wall, beautiful as any picture in the gallery, embracing more of interest than the porcelain itself, was a dutiable article. The inconsistency, I think, will be at once apparent.

Of course the primary purpose of placing these tapestries on the dutiable list will be to raise revenue. There can be no element of protection, because the hundred-year period precludes the possibility of present competition.

Mr. President, I do sincerely hope that the Senator will withdraw his objection, and in order that there may be no obstacle to the admission of tapestries I shall move, after the amendment pending has been disposed of, to insert "tapestries" after the word "antiquities," in line 10.

Mr. GALLINGER. Mr. President, I am still of the opinion that we ought not to go into the importation of tapestries free of duty, whatever the age of the tapestry may be. I apprehend

that if we put tapestries 100 years old on the free list a great many tapestries not 100 hundred years old will come in free of duty. I think it will be a very difficult matter to determine that a tapestry is just a century old, and we know how we are imposed upon in other matters of importation in various ways. I apprehend that this will be simply an additional item where the importer will take advantage of the Government. However, I am not very strenuous about it. I think we have enlarged the free list in this paragraph to a very great extent. I have in my own mind a serious question as to the advisability, in the name of art, of permitting these large importations of pictures and a great many other things that will adorn not our galleries, but the homes of the rich people of our land. I have little sympathy with the argument that this is altogether in the interest of the people of the United States and that these articles when imported will be found only in the galleries to which the people will have free access.

However, I have been appealed to by several Senators not to urge this amendment, and, deferring to their wish, I will withdraw my amendment.

Mr. BURKETT. Mr. President, I should like to ask the chairman of the committee what this paragraph is for; what the real object of it is? I have heard it rumored here—

Mr. ALDRICH. It seems to be perfectly plain. It is to admit artistic antiquities and works of art, more than a hundred years old, free of duty.

Mr. BURKETT. But I have understood it is claimed to be in the interest of art galleries and that sort of thing, while in their interest there can be brought in—

Mr. ALDRICH. It is in the interest of education and civilization.

Mr. BURKETT. Of course every import is in the interest of education and civilization.

Mr. ALDRICH. Not by any means.

Mr. BURKETT. I hope we do not import anything that is not in that interest. This is to let some people bring in their works of art to decorate their mansions. I am not in favor of it, I will say to the Senator. We can not escape that criticism. This paragraph reads:

Works of art, productions of American artists residing temporarily abroad, or other works of art, including pictorial paintings on glass, imported expressly for presentation to a national institution, or to any state or municipal corporation or incorporated religious society, college, or other public institution—

Shall be admitted free.

Under that we have had year after year admitted a good deal of art free. I can not see why at this time, in view of certain conditions, especially the rumors that obtain, we ought to put in here a provision to let anybody bring in his collection of art free. I doubt if we are justified in doing it. It seems to me we will be criticised if we do it, especially in the face of that paragraph which is already in the law admitting these articles free when they are for public institutions. You can not read this in any other way. It is to permit somebody to bring in these articles free, for his private gain.

Some patriotic Americans have been willing to pay the tariff on the articles they have brought in, and are displaying these great exhibitions of art for the public benefit. They are beneficial. If they are willing to buy this art abroad, they ought to be willing to contribute a little amount to the Treasury of the United States and relieve Congress of the criticism that is bound to come if we insert this clause 711.

While I glory in the generosity of anyone who is willing to bring in these exhibitions here for the benefit of our people, it does not seem to me that we are justified in passing this law now, in view of the other law that is on the statute books.

Mr. NELSON. I desire to offer an amendment to paragraph 711½.

Mr. LODGE. I should like to ask if the amendment I offered was adopted?

The PRESIDING OFFICER. It is now the pending amendment.

Mr. NELSON. To what paragraph is that?

Mr. LODGE. I offered an amendment to this paragraph, to insert before the word "works" the word "other," and after the word "art" insert "except rugs and carpets."

The PRESIDING OFFICER. The question is on that amendment.

Mr. DIXON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana rise to the amendment?

Mr. DIXON. No; I do not.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. BURKETT. Has the twenty years been changed to one hundred?

Mr. LODGE. Twenty years for pictures and statuary; one hundred years for all other works of art.

Mr. NELSON. I desire to offer an amendment to paragraph 711½ to put it exactly on the same footing as 711. I move to insert after the word "importation," in line 21, the following words, and I take them, I may say, from the preceding paragraph:

Imported expressly for presentation to a national institution, or to any state or municipal corporation or incorporated religious society, college, or other public institution.

So these works of art will come in free when imported for such institutions. We make a distinction in the preceding paragraph, and I think we ought to make it here. If these works of art are imported for the benefit of these public institutions, in which the entire public have an interest, it is well and proper to let them come in free. But if some wealthy capitalist sees fit—a man who has made his millions—to import a lot of these luxuries or works of art for the adornment of his own expensive mansion, I do not see why he should be immune from paying the usual tariff taxes.

Mr. LODGE. The amendment of the Senator from Minnesota would simply convert 711½ into a repetition of 711. Seven hundred and eleven covers entirely every work of art imported for public institutions. Seven hundred and eleven and a half is designed to admit to this country free of duty works of art more than twenty years old and more than a hundred years old, for the purpose of encouraging the importation of works of art in the interest, as the committee believes, of civilization and education and enlightenment.

I have no desire to take the time of the Senate. I think we all understand the question and can vote upon it.

Mr. NELSON. The Senator is utterly mistaken when he says it is the same as paragraph 711.

Mr. LODGE. I said it would be the same if we accepted the amendment.

Mr. NELSON. No; it would not be. It does not cover the same subject. Seven hundred and eleven relates to works of art, the production of American artists residing temporarily abroad.

Mr. LODGE. Read on. It covers everything.

Mr. NELSON. But the other paragraph covers all kinds of art.

Mr. LODGE. So does the first one, much more comprehensively.

The PRESIDING OFFICER. The Secretary will state the amendment.

Mr. DIXON. Does the Senator from Minnesota offer an amendment to 711½?

Mr. NELSON. Yes; I take the words that are found, if the Senator will allow me, in 711, commencing after the word "glass," in line 9, and extending down to the word "except," in line 12. In other words, I move to amend paragraph 711½ by inserting after the word "importations" the following words:

Imported expressly for presentation to a national institution, or to any state or municipal corporation or incorporated religious society, college, or other public institution.

Mr. DIXON. What I want to suggest to the Senator is, Why should not the proviso be inserted at the end of the whole paragraph, 711½? After that there is a whole page, 224:

Works of art, collections in illustration of the progress of the arts, works in bronze, marble, terra cotta, parian, pottery, or porcelain, artistic antiquities, and objects of art.

Should not his amendment come in as a proviso at the end of the paragraph?

Mr. NELSON. I think not. The Senator will observe that all these others are in the nature of definitions, explaining what comes before it. For instance:

But the term "sculptures" as herein used shall be understood to include professional productions of sculptors only, whether round or in relief, in bronze, marble, stone, terra cotta, ivory, wood, or metal; and the word "painting," as used in this act, shall not be understood to include any article of utility nor such as are made wholly or in part by stenciling or any other mechanical process; and the words "etchings" and "engravings."

It seems to be all in the nature of definitions as to the works referred to in the first part of the paragraph.

Mr. DIXON. That was my first impression, but on a more careful reading of it—

Mr. LODGE. Will the Senator allow me?

Mr. DIXON. Certainly.

Mr. LODGE. Paragraph 711, which is the existing law slightly reworded, but the existing law, covers everything the amendment of the Senator from Minnesota covers, because it says in the broadest way:

Works of art, productions of American artists residing temporarily abroad, or other works of art.

Under that paragraph every work of art is included which is imported expressly for presentation. The works of art of

American artists come in because they are the works of American artists, but all other works of art, that are for presentation to a national institution, come in free and always have come in free. To add those words to this paragraph would simply make this paragraph a repetition of 711. It is much easier to vote it down, rather than to add this proviso, which simply makes a repetition of the preceding paragraph.

The reason why this paragraph is drawn differently is because it was necessary to get an extremely careful definition to prevent fraud under it.

Mr. DOLLIVER. Mr. President—

Mr. NELSON. Will the Senator from Montana yield to me for a moment?

Mr. DIXON. I yield first to the Senator from Iowa.

Mr. DOLLIVER. I simply wanted to ask the Senator from Massachusetts to corroborate a thing I have thought was so. For about twelve years the newspapers of a certain type and the magazines and all the organs of American culture and education have been denouncing the Congress as being composed of rude barbarians, who deliberately put a tax upon popular education by the tariff on works of art. My recollection is that that tariff was put on in 1897, at the request of the most important society of artists in the city of New York, and I wanted to ask my friend the Senator from Massachusetts if I am correct about that.

Mr. LODGE. No; I think not. It was the Art Dealers' Association.

Mr. DOLLIVER. My recollection is that representatives of the artists appeared, claiming that the art market in New York City was flooded with importations of pictures from Paris, which occupied the attention of a large group of our people who were buying pictures. Therefore they desired these things to be kept out. My recollection is that what Congress did at that time was done not out of any inherent barbarism which it had itself, but out of deference to the desire and appeal of these very good people, who now desire the law changed; and I am very glad the committee have changed it.

Mr. LODGE. I desire to say to the Senator from Iowa that the provisions of the Wilson bill made art free. They were very loosely drawn, and gave rise, undoubtedly, to a great many frauds, and a great deal of cheap merchandise was brought in under that paragraph which ought never to have come in under the bill. The result was that in 1897 the Art Dealers' Association favored a low rate of duty on works of art on account of the introduction of this merchandise. My remembrance—and I saw some of the representatives of the artists—is that they were not in favor of the duty, but desired an amendment to the law.

The committee at this time are all united in favor of the provisions of the law. But the committees have now provided—in the House and the Senate—a clause which I believe will exclude works that ought not to come in as works of art. One of the important limitations is the limitation of time. But the other provisions are such that the Secretary of the Treasury can make regulations which will shut out anything which ought not to come in.

These works of art, brought in by individuals, in the history of all countries have inevitably found their way to museums and other places where the great works of art are preserved for the benefit of the entire public. I think this clause is absolutely safe. A great deal of time has been spent upon it. I believe it will keep out the undesirable and will promote the bringing into this country of those works of art which we desire to see collected here.

Mr. NELSON. Mr. President—

Mr. DIXON. I yield to the Senator from Minnesota.

Mr. NELSON. I want to say to the Senator from Montana that I have noticed in the papers—and I think it is a general idea among the public—that there are certain big millionaires in New York City and other places who are purchasing a lot of foreign paintings and other works of art, and they are very anxious to get their collections in free. It is a very laudable enterprise, and the only view that strikes me in the matter is, in the first place, that those men who are so well supplied with funds and have become so wealthy, who import these works of art, paintings, can afford to contribute something to the needs of the Government. In the next place, the more you import of these, the more you enter into competition with our own artists.

There is another fact. I do not want to be held up as a barbarian from the wild West. If there is anything I enjoy it is a fine painting. I never go to New York but that I go up to Central Park and visit that fine-art gallery. I am reminded of an incident that occurred some years ago. I was going up one of the corridors of the museum, and on the wall there was a

fine lot of paintings of the Flemish school of the seventeenth century—barnyard scenes; elegant; in the finest colors; life-like. A stout old lady, with a black silk dress on, and her daughter were there. They had more jewelry and diamonds than my whole farm and possessions in Minnesota are worth; and as they were going up the old lady got her eye on that picture and she said, "Julia, do you notice how that pig curls his ears." That was the one thing which struck her in that important picture, while I, a rude barbarian from the wild West, stood there and admired that picture as much as any picture in that noble art gallery.

I make these remarks because I do not want the Senator from Massachusetts, or anyone else, to understand that I am opposed to art. But I believe that the men who procure paintings abroad and pay high prices for them, which is to their credit—

Mr. GALLINGER. And hold them in storage.

Mr. NELSON. And hold them in storage, waiting for this legislation—I think, in view of our depleted revenues, in view of the importance of having sufficient funds to run this Government, and I am anxious in that respect to aid the Senator from Rhode Island, we ought to make these gentlemen pay a small duty when they bring in these articles.

Mr. ROOT. Mr. President—

The PRESIDING OFFICER. The Senator from Montana has the floor. Does he yield to the Senator from New York?

Mr. ROOT. I will wait until the Senator from Montana is through.

Mr. DIXON. I will yield in just a moment.

I expressly disavow any intent on my part to embarrass the importation of barnyard scenes for the benefit of my friend, the Senator from Minnesota [Mr. NELSON]. He has already stated the things that I really had in mind to say. So far as concerns the importation of works of art or paintings for public galleries, educational institutions, or anything that is in the broader sense for the education of the public, I am wholly in sympathy with the free importation. But when it comes to the importation of the most valuable marbles and bronzes, bought and paid for only by the very wealthy for the decoration of their homes and mansions here at home, for my part, I can see no possible argument in favor of putting them on the free list, and I am wholly in sympathy with the amendment of the Senator, for the reasons which I now state.

Mr. ROOT. Mr. President, I can say to the Senator from Minnesota [Mr. NELSON] that the great gallery of paintings which he has been in the habit of enjoying during his visits to New York has been almost entirely made up of the gifts of paintings from Americans who already had them in this country.

I have been for many years a trustee of that museum and have watched the growth of its collections with intense interest, and substantially the only way in which that collection and all the great art collections of our country, which are now educating our people, are brought together is by American citizens buying and bringing into this country the masterpieces of art and ultimately turning them over to museums.

The Senator from Massachusetts has well said that such works of art in the end always find their way to museums. I know now personally of two great collections in the city of Philadelphia, collected by private individuals, which are intended for the art museums in that city. What I have said about the museum in New York I know to be true of a large number of other museums in the country. People do not give to these institutions money with which to buy paintings. People give their paintings to the museums when they find they will do more for the enjoyment and the benefit of our people in a museum than they will when shut up within the walls of a private house.

The great amounts that are being expended in the building up of museums in our great cities—in Boston, and New York, and Philadelphia, and Baltimore, and Buffalo, and Cleveland, and Chicago, and Cincinnati, and St. Louis, and in substantially all the principal towns of the country—represent a vast expenditure in the most public spirit and deserving of commendation and encouragement.

Mr. President, after men have all that material wealth can do for them—after they have food to eat, clothing to wear, and roofs to shelter them, after they have all the comforts that religion can give, after they have the opportunity of intellectual education—there still remains one great blessing which can be conferred upon them for their enjoyment and their happiness, and that is the cultivation of taste. I believe there is nothing which will contribute more—I believe there is nothing which has contributed more—to the happiness of our people

than that wonderful display in the court of honor in the international exhibition at Chicago in the year 1893. I believe that no single impulse has ever been given to the American people which has contributed more toward enlarging the limits of their capacity for happiness than was given by that exposition.

The vast expenditures that have been made in the art museums of the country but follow along the same line. Expenditures which are being utilized by all our people ought to be encouraged. No step can be taken to advance more rapidly the building up of these great agencies for education in taste, for cultivation, for enlarging the capacity for happiness, than the measure which is now before us, for it affords the greatest opportunity for bringing into the museums of the country the best of all the art of the world.

Mr. TILLMAN. Mr. President, in this debate it has not been my good fortune to be very often found indorsing the views expressed by the Senators from New York and Massachusetts. But on this question I feel bound to say, in an humble and modest way, making no pretense whatever of being an art connoisseur, that if that poet who told us that "a thing of beauty is a joy forever" told the truth, this is not the place where the American Senate should display a niggardliness, a narrowness, and a penny-wise-and-pound-foolish policy.

The contemplation of beautiful paintings and statuary by even the most ignorant person must exert an elevating and refining influence. Many a boy has become inspired to do likewise, has had his soul enthused and his mind fired with the ambition to become a painter or a sculptor, by seeing great works of art.

I had the misfortune last year to become very ill, and I was ordered to Europe as a means of relaxation and rest. I had the opportunity to visit the great art galleries of Florence, Paris, and London, to say nothing of the smaller ones in other cities where I sojourned briefly. While I did not get as enthusiastic over some of those things as other people seemed to be, I saw enough to convince me that the American people can afford to encourage the importation of some of those masterpieces, something that we can get as a means of elevating the thought and inspiring the artistic genius of our people.

Therefore I for once in this debate, as I said, feel anxious to see the gates thrown wide open and every opportunity offered for wealthy Americans, who have been made rich as they are going to be made rich by this very bill, to bring in works of art. If you want to whack these multimillionaires, cut out some of the special privileges you are giving them elsewhere in the getting of money; but if they want to bring anything from abroad here which is worth while, let us let them do it. They will in time die out and an art gallery will become, in all probability, the legatee of their collections.

I noted in London that a half dozen of the finest collections were donated to the public by private individuals who had spent a lifetime and a fortune, or two or three fortunes, in collections such as are no more to be gathered together on the globe, because they have scoured the four corners of the earth almost to get these curios and artistic gems which have been given to those people; and they are the greatest treasures in London to-day.

When we consider that a painting is imperishable if it is cared for—that is, for several centuries at least, and no one hardly knows how long a well-cared-for painting will last—we can understand how it is impossible that these multimillionaires will not add to the stock of artistic wealth in this country, and in time they will increase the artistic genius of our people by merely having their galleries accessible. Many of these rich people are liberal enough to allow their art galleries to be visited by the public on given days, and others have loaned their masterpieces to this or that public gallery.

As I said, if you want to be hard on these rich people and want to make them do this, that, and the other, let us cut out some of the methods by which they get this money, but let us allow them to spend it to bring as many great and glorious works of art to America as possible.

Mr. MONEY. Mr. President, I do not know that it is necessary to say anything to defeat this amendment, because I do not know what the sentiment of the Senate is; but I certainly feel very much pleased to hear the expressions of Senators in regard to the introduction of works of art, as expressed in different parts of the Hall. There is one feature, however, which I think has been a little bit overlooked.

About thirty years ago I had the honor of being a guest at a dinner of the Commercial Club of Boston. I was received with great hospitality by the inhabitants of that magnificent city. During one day I was carried through an art gallery, not a gallery of art, but a studio. It was composed of many rooms, and in those rooms were men and women, boys and girls, some of them copying from living models, some from still life, some

copying celebrated paintings and drawings, and all kinds of things. That evening at dinner I happened to sit next to a gentleman largely interested in cotton mills. I think his name was Little, if I am not mistaken. He reminded me of the visit made that morning, and he said: "We are now preparing to surrender to the South the manufacture of the heavy cotton goods, where the weight of material will be the principal item in the cost of the finished product. This art school that you have seen to-day is to educate our people to give them that needed artistic skill that it is possible to foster any genius they may have in artistic work, so we will forever retain all that cotton-goods production which requires artistic skill and finish, where the price of the product does not depend upon the weight of the raw material in it." That was a practical view which he took. It is a view that is worthy of consideration, I think.

Certainly there should be no complaint if works of high art are admitted free to be the example for our people to copy and instruct, as well as to elevate and refine them.

I want to say that even a multimillionaire can have his uses in the economy of social existence. If there were no inequalities of fortune there would be no magnificent capitals, there would be no pictures, no statuary, no palaces, no temples, no works of art, no civilization. The only possible equality of life is where the people are all savages, where every man is his own hunter, his own cook, his own tailor, his own shoemaker, if he knows what a shoe is. All that we have in this life that makes life worth living springs from inequalities of fortune. If some men have accumulated more than would seem to be their share, and yet are disposed to return it to the people by these magnificent gifts of works of high art, I think we ought to permit them to do so without taxing their benevolent purposes.

I recollect that some eight or ten years ago I spent a week at the home of Mr. Clark, then a Senator from Montana, a very rich man. He told me that he had spent two months of every year for twenty-two years in Europe, collecting articles of virtu, bronze statues, paintings, tapestries, and so forth; and all with a view ultimately of making the public the beneficiary of his collection. I suppose when he dies it will go probably to the Clark Museum of Art, or something of that sort; and from the time he began to make that collection it was for the benefit of the American public.

I hope there will be no discord in this note here to-day, and that we will stand committed for the reception of everything in the way of art free of any cost whatever to the importer.

Mr. CARTER. Mr. President, the issue presented by the amendment of the Senator from Minnesota [Mr. NELSON], briefly stated, is that all the works of art over 100 years old imported for presentation to public or quasi-public institutions shall be admitted free of duty; but that works of art of the same character presented by individuals at the customs-house shall be subject to a duty hereafter agreed upon by the committee or the Senate, if the amendment shall prevail, or by the application of some rate already prescribed in the bill.

Mr. President, the observation of the Senator from New York [Mr. ROOR], based upon an experience extending over many years, is quite instructive and very reasonable indeed. I know of one man in the city of Milwaukee who started into the pork-packing business many years ago. As extra funds appeared available from time to time his natural inclination led him to invest in pictures and works of art. They were first imported by him individually. In the course of time he retired from the pork-packing business with a competency and some surplus. He established an art gallery in the city of Milwaukee which is now one of the genuine sources of pleasure and delight not only to the inhabitants of that city, but to the people of the State of Wisconsin. The Leighton Gallery will compare favorably with any gallery in a city of that size in the United States or any other country outside of the art centers of Europe. Further still, this venerable old gentleman enjoys the evening of his life traveling all over the globe collecting works of art for that gallery. That is the culminating work of his life.

My former colleague in this Chamber started out as a mail carrier between Deer Lodge and Walla Walla, riding horseback carrying the United States mail, and a little later on kept a store in Hellgate Canyon; ultimately he accumulated a fortune. It is pleasing to know that this young native of Pennsylvania, when favored by fortune to an unusual degree, has shown that there exists in the American character a capacity to appreciate the beautiful, the exquisite, the artistic, for he, too, in obedience to that impulse has been traveling through all the art storehouses of the world, finding pleasure and recreation in picking up pieces of artistic work here and there, and collecting them all together, a portion of them now in the Corcoran Art Gallery, some portion stored, and some on exhibition in New York, some in his private gallery.

and all ultimately to be collected together in a gallery by themselves or to be contributed in the end to some public art gallery.

I cite these cases only as showing the logic of the position presented by the Senator. The pork packer from Milwaukee, the mail carrier from Montana, have collected and are collecting art treasures that will, in time, be contributed to permanent institutions in this country, to abide here forever, I hope, for the edification, enlightenment, and ennoblement of the character of our people.

I was reminded by the Senator from South Carolina [Mr. TILLMAN] of a bit of experience which was an inspiration and an instruction combined. I spent a day or two in the city of Antwerp in 1899. I learned that it was the home-coming time of the pictures of Rubens and Van Dyck. The pictures had gone to various resting places and galleries and private collections all over the globe, but by common consent the people had agreed that the creations of these two wonderful men should stand side by side in the home city of the artists. A more impressive scene I have never witnessed than I witnessed in the gallery where these pictures were collected together. People who seemed, from their dress and manners, to be country people, working people, many of them advanced in life, shed tears as they passed in procession by the wonderful array of pictures come home from all over the earth for this reunion. The persons who shed tears in the presence of the old pictures were of refined feeling, and that feeling has been cultivated by residence in that city of artists and art's creations.

I would, Mr. President, encourage our people of wealth to collect here on this continent the creations of genius, the masterpieces of the ages. There is no competition in the highest art. The great artist lives in an empire of his own. There has been but one Michelangelo in all the centuries. He stands out as bold, unique, and alone as does Shakespeare in the realm of letters. The idea of putting a duty on one of Michelangelo's pictures coming to the ports of the United States is absurd.

In the very nature of things, the great art collections of private individuals must gravitate to the public galleries, because the love of the art and the artistic which originally inspired the individual to make the collection will be accompanied by a keen solicitude for the preservation of the pictures and works of art in company with each other. The private galleries are generally organized in harmonious fashion, according to the artistic taste of the individual making the collection. They are not thrown together in a haphazard manner. The works are, in a measure, correlated, so as to present the collector's idea of harmony and propriety in the selection; and the natural tendency is to keep these collections together. The man who spends a lifetime making the collection will look with great disfavor upon any event which might lead to the dismemberment of the collection. Thus it is that in the great galleries you see the private contributions are often kept in separate apartments, in accordance with stipulations in the will or act of dedication.

Mr. President, the collector generally provides for the disposition of the art gallery or collection in his will. It does not always occur that the children have the same enthusiastic devotion to art as the parent; hence the collector, in nine cases out of ten, will provide for the safety of the collection and its continuance as a collection; and the only way in which that can be done with safety is by committing the treasures to the tender care and solicitude of the public, and the public always cares for works of art. There need be no fear when the public is intrusted with one of these collections that there will ever be a scattering of the pictures or an auction sale of the collection.

Mr. DIXON. Mr. President, I wish to say one word further. I have taken very little time in this debate.

The beautiful picture that Senators draw of the multimillionaire pork packers and copper kings who go to Europe and collect great galleries of paintings and works of bronze and of marble is nice. We are delighted to have great multimillionaires, when they are through with works of art in their lifetime, turn them into some public gallery for the instruction and edification of the public. But the truth is, Mr. President, that not a single picture, that not a single collection of works of art that has been mentioned on this floor has been kept out by the duty. The small duty heretofore placed on these things has not in any way deterred the multimillionaires from bringing them into this country, and the continuation of the present duty will in no way on earth in the future prevent these same men, who are ready to spend millions of dollars in the purchase of these articles, from paying the small duty when brought into the home country.

But that is not the crux of the situation. Where one painting or one work "in bronze, marble, terra cotta, parian, pottery

or porcelain, artistic antiquities, and objects of art of ornamental character," eventually finds its way into a public museum, the great wealthy classes of the country will import a hundred pieces of art for their own use in their own homes. The people who buy these articles of luxury may do it in isolated cases for a public museum at the end of their lives, but they are bought for the purpose of decorating in great and artistic profusion and wealth their own palaces at home. Ninety-nine articles are imported for that purpose where one goes into a public museum.

For that reason I do not see how we can defend the tariff bill which we are now passing with an average duty of 40 per cent on the ordinary things of life, when we absolutely throw down the bars to the men who can afford to pay, who will pay, and who will not import a single piece of antique furniture or high-priced bronze or high-priced marble more than they would do if these things still remained on the dutiable list.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. NELSON].

The amendment was rejected.

Mr. ALDRICH. I ask that the paragraph be agreed to.

The VICE-PRESIDENT. Without objection, the paragraph is agreed to.

Mr. BURKETT. Let us have a vote on the paragraph.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended.

Mr. NELSON. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. NELSON. I suggest the absence of a quorum.

Mr. ALDRICH. We may as well have the yeas and nays. I suppose perhaps the roll will have to be called first.

Mr. LODGE. The yeas and nays will show a quorum.

The VICE-PRESIDENT. Does the Senator from Minnesota demand a call of the Senate?

Mr. ALDRICH. I ask the Senator from Minnesota to withdraw his request for a call.

Mr. NELSON. I withdraw that, but I want a yeas-and-nays vote on agreeing to the paragraph as amended.

The yeas and nays were ordered.

The VICE-PRESIDENT. The question is on agreeing to the paragraph as amended. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FRYE (when Mr. HALE's name was called). My colleague [Mr. HALE] is paired with the senior Senator from Virginia [Mr. DANIEL]. Both Senators are at their homes ill.

Mr. JONES (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH]. If he were present, I should vote "yea."

Mr. McLAURIN (when his name was called). I am paired with the junior Senator from Michigan [Mr. SMITH]. I announce that pair for the day.

Mr. SUTHERLAND (when his name was called). Has the Senator from Alabama [Mr. BANKHEAD] voted?

The VICE-PRESIDENT. The Senator from Alabama has not voted.

Mr. SUTHERLAND. I am paired with that Senator, and withhold my vote.

The roll call was concluded.

Mr. CRAWFORD. My colleague [Mr. GAMBLE] is absent. He is paired with the junior Senator from Indiana [Mr. SHIVELY]. Both Senators are absent.

Mr. CLAPP (after having voted in the negative). I voted "nay," but I find that my pair is not voting. As there is some division of sentiment on the other side, I feel that I should withdraw my vote.

The result was announced—yeas 53, nays 14, as follows:

YEAS—53.

Aldrich	Crane	Johnson, N. Dak.	Root
Beveridge	Crawford	Kean	Scott
Bourne	Cullom	La Follette	Smith, Md.
Bradley	Davis	Lodge	Smoot
Brandeggee	Depew	Martin	Stephenson
Briggs	Dick	Money	Stone
Bristow	Dillingham	Newlands	Taliaferro
Bulkeley	Dolliver	Nixon	Tillman
Burnham	du Pont	Oliver	Warner
Burrows	Elkins	Overman	Warren
Burton	Flint	Page	Wetmore
Carter	Frye	Penrose	
Chamberlain	Gallinger	Perkins	
Clay	Guggenheim	Rayner	

NAYS—14.

Borah	Cummins	Heyburn	Paynter
Brown	Curtis	Hughes	Piles
Burkett	Dixon	McCumber	
Clark, Wyo.	Fletcher	Nelson	

NOT VOTING—24.

Bacon	Daniel	Johnston, Ala.	Shively
Bailey	Foster	Jones	Simmons
Bankhead	Frazier	McEnery	Smith, Mich.
Clapp	Gamble	McLaurin	Smith, S. C.
Clarke, Ark.	Gore	Owen	Sutherland
Culberson	Hale	Richardson	Taylor

So the paragraph as amended was agreed to.

Mr. ALDRICH. I move to insert a new paragraph, to be known as "711½." It was left out by an error.

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Rhode Island.

The SECRETARY. It is proposed to insert as a new paragraph the following:

711½. Yams.

The amendment was agreed to.

Mr. ALDRICH. I ask that paragraph 712 be agreed to.

Mr. LODGE. Paragraph 712 has been agreed to, has it not?

The VICE-PRESIDENT. Paragraph 712 has been agreed to.

Mr. ALDRICH. With the exception of certain paragraphs that have been passed over for various reasons, this completes the consideration of the various schedules, with the exception, I think, of lumber and paper.

Mr. BRISTOW. And hides.

Mr. ALDRICH. It is my purpose to ask for an executive session, with the view of an adjournment after the executive session has been concluded, in order that the committee may take up some of the matters which they have not already acted upon.

Mr. McLAURIN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Mississippi?

Mr. ALDRICH. I do.

Mr. McLAURIN. I desire to add a new paragraph, to be numbered 497½. I send it to the desk, and ask that it may be read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Mississippi will be stated.

The SECRETARY. It is proposed to add as a new paragraph the following:

497½. Bagging for cotton, gunny cloth, and similar fabrics suitable for covering cotton.

Mr. ALDRICH. That matter went over yesterday by general agreement, and I ask that it still go over.

Mr. McLAURIN. That is satisfactory to me.

Mr. MONEY. I ask the Senator from Rhode Island if he will not take time to take up a paragraph that has been passed over. I do not know on what page it is, but it is the paragraph relating to sulphate of ammonia. I should like to have that article put on the free list. It has always been on the free list. In the Payne bill it is on the free list, and I think also in the present law. It is one of the principal ingredients of commercial fertilizers; and certainly I think it is wise husbandry, as well as wise statesmanship, to feed the land.

Mr. ALDRICH. That article is not on the free list now, I will say to the Senator. It is dutiable now at three-tenths of a cent a pound.

Mr. MONEY. I ask the Senator if he will not permit it to go on the free list?

Mr. ALDRICH. There are a number of Senators interested, on both sides of that question, and I have promised them not to take the matter up for the present. I therefore ask that it go over.

Mr. MONEY. Very well; let it go over.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from South Carolina?

Mr. ALDRICH. I do.

Mr. TILLMAN. I was just going to remark that this article is on the free list in the Payne bill.

Mr. ALDRICH. Yes; in the Payne bill.

Mr. TILLMAN. And the Senate amendment striking it out of the free list and leaving it dutiable at the rate of—

Mr. ALDRICH. Two-tenths of a cent a pound.

Mr. TILLMAN. Has not yet been agreed to?

Mr. ALDRICH. It has not been.

Mr. TILLMAN. So that the whole matter is open for discussion on Monday?

Mr. ALDRICH. It is.

Mr. OWEN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Oklahoma?

Mr. ALDRICH. I do.

Mr. OWEN. I wish to give notice that at 2 o'clock on Tuesday next I should like, at the convenience of the Senate, to address the Senate in regard to the pending bill.

Mr. FRYE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Maine?

Mr. ALDRICH. I do.

Mr. FRYE. Mr. President, I received this morning a very intelligent and forcible statement of the difficulties and troubles of the carding-mill industry. There are 60 of those mills in my own State. They are all in a very depressed condition. There are suggestions contained in this statement as to amendments which would be favorable to that industry. I ask that this letter may be printed in the Record, and I ask the Committee on Finance to give as careful consideration to this question as the importance of it deserves.

The VICE-PRESIDENT. In the absence of objection, the letter referred to will be printed in the Record.

The letter referred to is as follows:

Hon. WILLIAM P. FRYE,
Senate, Washington, D. C.

SIR: We desire to lay before you certain facts relating to the tariff on wool and wool products, in order that you may know of the burdens now resting on the carded woolen industry and on the consumer of wool goods.

1. Schedule K is the same in the Payne bill now before the Senate and in the Dingley law. Both provide for a specific duty of 11 cents and 12 cents a pound on wool in the grease. This is the first grievance to which we call your attention. Grease wool contains widely varying proportions of grease and dirt, which is washed out in the first process—scouring—and is of no value whatever to the wool manufacturer. This wool grease and dirt amount in many cases to as much as 80 per cent of the grease weight of the wool, while on some light-shrinkage grades it is much less, as low as 15 per cent.

From this you will understand how wide is the variation in the duty on clean wool. With a shrinkage of 80 per cent, a duty of 11 cents per grease pound is 55 cents per clean pound. With a shrinkage of 20 per cent the same 11-cent duty on the grease weight is only 14 cents per clean pound. The result is that the light-shrinkage lots of wool can be imported at a very low duty, while the tariff on the heavy-shrinking wools is so high that they can not be imported at all. An application of the Dingley tariff to 80,000,000 pounds of wool recently sold at auction at London, Liverpool, Melbourne, and Sydney showed that the ad valorem equivalent of the Dingley 11-cent duty on grease wool varied from 23 per cent to 733 per cent.

The bulk of the wool suited for our branch of the industry—carded woolen manufacturing—is heavy shrinking, while the wool suited for the other branch of the industry—worsted manufacturing—is light shrinking. The burden under which we are suffering arises from this fact, and hence our appeal to the House and the Senate. The conditions we have described result not only in the oppression and ruin of the carded woolen industry, dotting the country with idle mills, but also in the special privileges of immense value to the worsted-spinning industry, which is being rapidly concentrated into a few wealthy, prosperous, and powerful combinations.

At the same time the woolgrower is deprived of the protection contemplated by the Dingley tariff law. That law fixes the duty on scoured wool at three times the duty on unwashed grease wool; that is, at 33 cents a scoured pound for class 1 wool and 36 cents a scoured pound for class 2 wool. This is on the assumption that it requires 3 pounds of grease wool to give 1 pound of scoured wool, and this assumption is further indicated by the Dingley and Payne provisions for compensatory duties on goods, based on the ratio of 4 pounds of grease wool to 1 pound of finished cloth, allowing for a loss of 25 per cent in manufacturing. This legal promise of 33 cents a scoured pound to the woolgrower has proved in practice to be a delusion and a sham, for the law that gives the promise of such protection breaks it by allowing the importation of light-shrinking wools at the 11-cent rate. The protection to the woolgrower is measured not by the Dingley duty of 33 cents a scoured pound, but by the equivalent per scoured pound of the 11-cent duty on grease wool actually imported, which equivalent runs as low as 14 cents and in practice rarely exceeds 20 cents. The average shrinkage of the grease wool imported during the last five years is 40 per cent, equal to a duty of 18.6 cents per scoured pound.

Thus, under the present wool tariff the woolgrower is deprived of the expected protection, the carded woolen manufacturer is deprived of all access to the foreign wool suited for his requirements, while the worsted spinners enjoy valuable special privileges by being permitted to import the wool they require at a very low rate of duty per scoured pound.

2. Besides the inequality to which we have just called your attention there are other serious abuses in the Dingley tariff on wool. First, we will mention the provision by which wool of the first class, if washed on the sheep's back, is subjected to a double duty of 22 cents a pound, while wool of the second class, if so washed on the sheep's back, is admitted at the single rate of 12 cents a pound. The result is that all wool of the second class is imported in the washed condition in order to avoid the payment of the duty on grease and dirt, while the very heavy wool of the first class can not be imported at all. The discrimination against one class of people and in favor of another under this arrangement of the tariff arises from the fact that the second-class wool is used for the manufacture of worsted, while the wool adapted for the carded woolen goods is of the first class. We demand the abolition of this discrimination and special privilege under the law.

Another inequality from which we ask relief is that provision of the Payne and Dingley bills which makes the duty on scoured wool three times the duty on grease wool. This is based on the assumption that 3 pounds of grease wool are required to yield 1 pound of scoured wool, whereas a very large part of the world's wool clip shrinks much less than two-thirds. The result of this inequality is to prohibit the importation of scoured wool and confine the imports to wool shrinking less than two-thirds. The discrimination against one class of people and in favor of another under this arrangement of the tariff arises from the fact that worsted spinners ordinarily buy wool in the grease, whereas scoured wools are used by the carded woolen manufacturers. Thus the scoured-wool clause of the Dingley and Payne tariff bills constitutes a burdensome discrimination against the carded woolen manufacturers, from which we demand relief.

We desire to call your attention to the fact that the carded woolen and worsted branches of wool manufacturing, although distinct in respect to certain technical processes and grades of raw material used, still are competing branches of trade, because worsted and carded woolen goods are used for the same purposes. Consequently, these tariff discriminations against the carded woolen industry add the worsted branch of the business by injuring the latter's competitor.

3. Another and very serious defect in the Dingley and Payne bills is the practically prohibitory duties on the by-products of wool manufacturing. Here again we find a discrimination against one class of people and special privileges for another, because these by-products can be used only by carded woolen manufacturers, while worsted spinners, although they can not use them, have them for sale. This is one of the most serious of the tariff burdens from which we ask relief, as the duties on such by-products vary from 50 to 200 per cent.

4. The present wool schedule is practically that of 1867, which was primarily a war-revenue tax; and as all other schedules have been readjusted to meet changed conditions, this schedule should be redrawn to meet the changed conditions of woolgrowing and the wants of the manufacturers. Take Ohio, for example. The quality of wool grown in Ohio has changed as well as the quantity. Fine merino was at one time the staple growth, but in a few years more that quality of wool will not be grown in Ohio. Much of the wool now grown there is from the mutton variety of sheep, and this wool carries a net protection of about 20 cents per scoured pound, against 33 to 44 cents to the grower in the West.

5. We ask for an equal opportunity with all others under the law, in order that we may enjoy the reward of our labor, skill, and enterprise in the business in which we are engaged. It is in this capacity of carded woolen manufacturers that we make our appeal to you. But our demands should be granted not only in justice to us as carded woolen manufacturers, but in justice to the consumer of wool goods. We expressly disclaim any intention of representing here to-day the special interests of the consumer. We, however, call your attention to the fact that every burden on the carded woolen industry that we have mentioned is also a burden on the consumer of wool goods, whether underclothing, outside clothing, blankets, or other articles made of wool; and that the special privileges granted to the worsted branch of this industry result in an increase of these burdens not only on the carded woolen manufacturers, but also on the consumers in this country.

6. It would not be possible at this time to go into detailed discussion of the proper remedies for the abuses to which we have called your attention. We will state, however, that it is our firm belief that the only complete remedy for these inequalities is a tariff based on value. Specific duties based on the scoured weight of the wool and graduated on by-products by classification according to value, or compound duties consisting of both specific and ad valorem rates, would give partial relief. But if the exigencies of the situation ever lead the Government to adopt any of these partial remedies, it should not be forgotten that they are partial and that the only complete remedy is an ad valorem tariff. The protective rate on wool goods is ad valorem, and if this can be made effective on manufactured goods, there can be no doubt of its efficiency on the raw material.

7. We ask that the tariff on wool and wool goods be thoroughly investigated and revised. We desire to have the principle of protection maintained for all producers, whether of wool, wool goods, or clothing. And we are as ready to have the inequalities corrected in the tariff on wool goods as in the tariff on raw materials. We are ready to go into the consideration of the technical details of this problem with you, or with anyone you may designate, and to any extent you may desire. We are ready to do this with representatives of the woolgrowers, worsted manufacturers, and of the Government. We suggested such a conference to the Ways and Means Committee of the House of Representatives. We have at all times been willing to carry out that suggestion, confident that the better the truth is known the better will be our chance to gain an equal opportunity under the law.

We represent an industry that covers nearly every State in the Union, has more than three times the number of establishments of those employed in the combing of wool, with a greater number of employees. Under the present schedule many woolen mills have been closed, and a continuance of the same means great distress to many mill owners and operatives. We believe that the platform of the party meant an honest revision of the tariff. On a recent visit to the Finance Committee we placed the injustice of the wool duties before it, and were told that while we had a grievance, the schedule could not be opened. We are indignant that such treatment should be meted out to us; that the cardinal principle of fair play and even-handed justice under which we are supposed to live should be cast aside or subordinated to a coalition of forces that are specially favored under the Dingley bill. We appeal to you to use your influence in the right quarter, so that this industry may have what it is entitled to under our Constitution, even-handed justice, neither more or less.

Respectfully, yours,

THE CARDED WOOLEN MANUFACTURERS' ASSOCIATION,
EDWARD MOIR, President.

Mr. SIMMONS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Rhode Island yield to the Senator from North Carolina?

Mr. ALDRICH. Certainly.

Mr. SIMMONS. Before the Senator makes his motion to proceed to the consideration of executive business, I should like to ask him a question, which will take but a moment, as to paragraph 553, which relates to the eggs of game birds. I notice that heretofore the regulations with respect to the eggs of game birds for the purpose of propagation have been left to the Secretary of Agriculture. This bill changes that and places the regulations of those importations under the Secretary of the Treasury. I have a letter here from the president of the Audubon Society of my State, protesting against that. I do not know what is the reason of the committee for making the change.

Mr. LODGE. There was no provision whatever for authorizing the importation of eggs of game birds for purposes of propagation until it was put in by the House. That is new legislation.

Mr. SIMMONS. That I understand.

Mr. LODGE. It is not in the present tariff law.

Mr. SIMMONS. Not in the old law?

Mr. LODGE. The committee placed the matter in the hands of the Secretary of the Treasury, because the entire administration of tariff acts is under the Secretary of the Treasury.

Mr. SIMMONS. I call the attention of the Senator from Massachusetts—

Mr. LODGE. It is a question of the customs.

Mr. SIMMONS. I understand that.

Mr. LODGE. The officers of the Agricultural Department can not regulate the importation of articles.

Mr. SIMMONS. But the Secretary of Agriculture has had charge of regulating this matter ever since the act of 1902.

Mr. LODGE. He never has had charge of this subject, for this is new legislation entirely.

Mr. SIMMONS. I understand the act of 1902, to which I have referred, was very much the same as this provision. It authorized the importation of the eggs of game birds for purposes of propagation.

Mr. LODGE. There was never any authority given to the Secretary of Agriculture or to the Secretary of the Treasury to make any exceptions under the law until the House put this provision in the pending bill.

Mr. SIMMONS. I will ask the Senator if it is not a fact that ever since 1902 we have been importing the eggs of game birds for the purpose of propagation, and if the Secretary of Agriculture has not had charge of making the regulations?

Mr. LODGE. If the Secretary of Agriculture has been doing it, he has been doing it without authority of law.

Mr. SIMMONS. Of course I have not investigated this matter, for I have just received this letter; but my understanding from the letter is that for seven years such eggs have been coming in under regulations prescribed by the Secretary of Agriculture. During that time about 25,000 eggs have come in, and they have been shipped chiefly to my State and to the State of Illinois.

Mr. LODGE. It was for the precise purpose of permitting that to be lawful that this provision was put in by the House. But, Mr. President, we can not turn the administration of the customs laws over to officers of the Agricultural Department. There is no intention of preventing the importation of eggs for purposes of propagation, but it is not proper to undertake to have two sets of men enforce the customs laws of the United States.

Mr. SIMMONS. The point I make, Mr. President, is this: I do not care particularly with reference to the Secretary of the Treasury making these regulations; but at present, as I understand, all the work in connection with the importation of animals and of birds into this country is under the control of the Department of Agriculture. I do not mean the matter of importations, but I mean the work in connection with distributing the eggs and seeing that they are used for purposes of propagation.

Mr. LODGE. There is nothing to interfere with his doing that at all. This refers merely to the rules and regulations covering the importations, which are to be prescribed by the Secretary of the Treasury. The Senator must see that to have the Secretary of Agriculture prescribing rules and regulations for the officers of the customs, who are under the Secretary of the Treasury and who might decline to obey the rules, would make it impossible to administer the law.

Mr. SIMMONS. I have merely stated, Mr. President, what has been going on for seven years. That has been done for seven years.

Mr. LODGE. I will venture to say that for seven years the officers of the customs have been administering the tariff laws, and not the officers of the Agricultural Department.

Mr. SIMMONS. I assume so; but during those seven years the Secretary of Agriculture, under the law, has had charge of these importations.

Mr. LODGE. No such language was in the law until the House put it in two months ago.

Mr. SIMMONS. I have not examined it; I am merely stating it from the letter I have from my correspondent.

Mr. LODGE. I have examined the matter with great care.

EXECUTIVE SESSION.

Mr. ALDRICH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 2 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, June 14, 1909, at 10.30 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 12, 1909.

JUDGE OF DISTRICT COURT FOR ALASKA.

Peter D. Overfield, of Alaska, to be judge of the district court for the district of Alaska, and assign him to Division No. 4, vice Silas H. Reid, resigned.

APPOINTMENT IN THE ARMY.

GENERAL OFFICER.

Col. Marion P. Maus, Twentieth Infantry, to be brigadier-general from June 10, 1909, vice Brig. Gen. Richard T. Yeatman, who was retired from active service June 5, 1909.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

First Lieut. Henry M. Bankhead, Seventeenth Infantry, to be captain from June 2, 1909, vice Capt. George I. Feeter, Seventh Infantry, retired from active service on that date.

First Lieut. Henry F. McFeely, Tenth Infantry, to be captain from June 5, 1909, vice Capt. Frank L. Winn, Twelfth Infantry, promoted.

Second Lieut. Thomas C. Musgrave, Eighteenth Infantry, to be first lieutenant from June 2, 1909, vice First Lieut. Henry M. Bankhead, Seventeenth Infantry, promoted.

Second Lieut. Converse R. Lewis, Twenty-third Infantry, to be first lieutenant from June 5, 1909, vice First Lieut. Henry F. McFeely, Tenth Infantry, promoted.

PROMOTIONS IN THE NAVY.

Lieut. Commander Philip Andrews to be a commander in the navy from the 27th day of May, 1909, vice Commander William Braunersreuther, promoted.

The following-named lieutenant-commanders to be lieutenant-commanders in the navy from the dates set opposite their names, to correct the dates from which they take rank as previously confirmed:

Frank H. Brumby, April 24, 1908;
James P. Morton, April 24, 1908;
Frank P. Baldwin, May 15, 1908;
George L. P. Stone, July 1, 1908;
Rufus Z. Johnston, jr., July 11, 1908;
Thomas D. Parker, July 20, 1908;
Jonas H. Holden, August 1, 1908;
Thomas T. Craven, September 3, 1908;
Daniel W. Wurtzbaugh, September 3, 1908;
Ralph Earle, September 7, 1908;
Gatewood S. Lincoln, October 25, 1908;
Ivan C. Wettengel, October 30, 1908;
Charles M. Tozer, November 12, 1908;
Wat T. Cluverius, December 15, 1908;
Albert W. Marshall, January 7, 1909;
Thomas A. Kearney, February 1, 1909;
Arthur MacArthur, jr., February 25, 1909; and
Frank E. Ridgely, March 2, 1909.

Lieut. Edward H. De Lany to be a lieutenant-commander in the navy from the 23d day of April, 1908, vice Lieut. Commander John C. Leonard, promoted.

Lieut. Cassius B. Barnes to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Hilary P. Jones, jr., promoted.

Lieut. Michael J. McCormack to be a lieutenant-commander in the navy from the 4th day of July, 1908, vice Lieut. Commander Volney O. Chase, promoted.

Lieut. Ernest F. Eckhardt to be a lieutenant-commander in the navy from the 19th day of July, 1908, vice Lieut. Commander George R. Slocum, promoted.

Lieut. Duncan M. Wood to be a lieutenant-commander in the navy from the 17th day of December, 1908, vice Lieut. Commander Charles M. McCormick, promoted.

Lieut. Leigh C. Palmer to be a lieutenant-commander in the navy from the 23d day of December, 1908, vice Lieut. Commander Glennie Tarbox, promoted.

Lieut. Dudley W. Knox to be a lieutenant-commander in the navy from the 11th day of March, 1909, vice Lieut. Commander Webster A. Edgar, promoted.

Lieut. Edward McCauley, jr., to be a lieutenant-commander in the navy from the 1st day of June, 1909, vice Lieut. Commander James E. Walker, resigned.

The following-named ensigns to be lieutenants (junior grade) in the navy from the 2d day of February, 1909, upon the completion of three years' service in the present grade:

Donald B. Craig,
Stanton L. H. Hazard,
Roscoe F. Dillen,
Benjamin K. Johnson, and
Walter A. Smead.

The following-named lieutenants (junior grade) to be lieutenants in the navy from the 2d day of February, 1909, to fill vacancies existing in that grade on that date:

Donald B. Craig,
Stanton L. H. Hazard,
Roscoe F. Dillen,
Benjamin K. Johnson, and
Walter A. Smead.

The following-named paymasters with the rank of lieutenant-commander to be paymasters in the navy with the rank of lieutenant-commander from the 23d day of April, 1908, to correct the date from which they take rank as previously confirmed:

George G. Seibels,
Edmund W. Bonaffon,
Joseph Fyffe, and
John H. Merriam.

Paymaster Timothy S. O'Leary, with the rank of lieutenant-commander, to be a paymaster in the navy with the rank of lieutenant-commander from the 1st day of July, 1908, to correct the date from which he takes rank as previously confirmed.

The following-named paymasters, with the rank of lieutenant-commander, to be paymasters in the navy with the rank of lieutenant-commander from the 19th day of July, 1908, to correct the date from which they take rank as previously confirmed:

George Brown, jr.,
Walter B. Izard,
David Potter, and
Samuel Bryan.

The following-named paymasters, with the rank of lieutenant-commander, to be paymasters in the navy with the rank of lieutenant-commander from the 20th day of July, 1908, to correct the date from which they take rank as previously confirmed:

Arthur F. Huntington,
Harry H. Balthis,
Charles Conard, and
William T. Gray.

The following-named paymasters, with the rank of lieutenant-commander, to be paymasters in the navy with the rank of lieutenant-commander from the 15th day of December, 1908, to correct the date from which they take rank as previously confirmed:

George P. Dyer,
John W. Morse,
Robert H. Woods,
Robert H. Orr,
William A. Merritt,
John Irwin, jr.,
Webb V. H. Rose,
William H. Doherty,
Charles Morris, jr., and
Frederick K. Perkins.

Paymaster George C. Schafer, with the rank of lieutenant-commander, to be a paymaster in the navy with the rank of lieutenant-commander from the 27th day of May, 1909, to correct the date from which he takes rank as previously confirmed.

Asst. Paymaster Kenneth C. McIntosh to be a passed assistant paymaster in the navy from the 8th day of July, 1908, to fill a vacancy existing in that grade on that date.

Naval Constructors Stuart F. Smith and William G. Groesbeck, with the rank of lieutenant-commander, to be naval constructors in the navy with the rank of lieutenant-commander from the 23d day of April, 1908, to correct the date from which they take rank as previously confirmed.

Naval Constructor Richard H. Robinson, with the rank of lieutenant-commander, to be a naval constructor in the navy with the rank of lieutenant-commander from the 20th day of July, 1908, to correct the date from which he takes rank as previously confirmed.

The following-named machinists to be chief machinists in the navy from the 3d day of March, 1909, after the completion of six years' service, in accordance with the provisions of an act of Congress approved March 3, 1909:

John E. Cleary,
Richard Jeffares,
Charles Hammond,
James W. Murray,
John Dexter,
Martin J. Clancy,
John J. Fuller,
John T. Pennycook,
James A. Hickey,
John T. Riley,
Benjamin F. Beers,
David Purdon,
Bernard Gebhardt,
George C. Ellerton,

Charles H. Gilhuley,
Murray S. Holloway,
William B. Stork,
Clarence R. Johnson,
Ben Smith,
William James,
Patrick Fernan,
Frank Risser,
John Bryce,
Rasmus Iversen,
Henry E. White,
Charles C. Holland,
Cornelius J. Collins,
Lee Grossenbaker, and
Daniel C. Beach.

POSTMASTERS.

COLORADO.

Mary S. Clark to be postmaster at Akron, Colo., in place of Edwin W. Clark, deceased.

INDIANA.

James E. Zook to be postmaster at Howe (late Lima), Ind., in place of James E. Zook; to change name of office.

NEBRASKA.

Walter L. Minor to be postmaster at Morrill, Nebr. Office becomes presidential July 1, 1909.

OHIO.

Alva G. Sutton to be postmaster at Attica, Ohio, in place of Alva G. Sutton. Incumbent's commission expired January 11, 1909.

Charles B. Morris to be postmaster at Columbus Grove, Ohio, in place of Charles B. Morris. Incumbent's commission expired March 4, 1908.

SOUTH DAKOTA.

Charles E. Tenney to be postmaster at Summit, S. Dak. Office became presidential January 1, 1909.

UTAH.

Clifford I. Goff to be postmaster at Midvale (late West Jordan), Utah, in place of Clifford I. Goff; to change name of office.

Albert E. Hopkinson to be postmaster at Sunnyside, Utah, in place of George H. Richards, resigned.

WISCONSIN.

Louisa Whitcomb to be postmaster at Albany, Wis. Office became presidential January 1, 1907.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 12, 1909.

REGISTERS OF THE LAND OFFICE.

W. N. Ivie to be register of the land office at Harrison, Ark.
William S. McLain to be register of the land office at Bellefourche, S. Dak.

Guy W. Caron to be register of the land office at Little Rock, Ark.

PROMOTIONS IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Harvey C. Carbaugh to be judge-advocate with the rank of colonel.

Maj. Frank L. Dodds to be judge-advocate with the rank of lieutenant-colonel.

CAVALRY ARM.

First Lieut. Samuel B. Pearson to be captain.
First Lieut. Freeborn P. Holcomb to be captain.
Second Lieut. Beauford R. Camp to be first lieutenant.
Second Lieut. Seth W. Cook to be first lieutenant.
Second Lieut. Thomas B. Esty to be first lieutenant.

POSTMASTERS.

INDIANA.

William Helminger, at Bremen, Ind.
James Nejd, at Whiting, Ind.

OHIO.

Frank G. Hoskinson, at Montpelier, Ohio.
Sylvanus P. Louys, at Stryker, Ohio.
James T. McCready, at Butler, Ohio.
De Witt C. Pemberton, at New Vienna, Ohio.
Charles B. Saxby, at Weston, Ohio.
John M. Shafer, at Edon, Ohio.
Harry M. Wolfe, at Germantown, Ohio.

OKLAHOMA.

Sid Smith, at Stilwell, Okla.

PENNSYLVANIA.

John E. McCardle, at Charleroi, Pa.
John W. Miller, at South Sharon, Pa.
George L. Thomas, at New Bethlehem, Pa.
Lily Watters, at Evans City, Pa.

TEXAS.

Frank L. Irwin, at Terrell, Tex.

VIRGINIA.

James F. Williams, at Amherst, Va.

SENATE.

MONDAY, June 14, 1909.

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. John Lee Allison, D. D., of the city of Washington.

The Journal of the proceedings of Saturday last was read and approved.

SUITS AFFECTING INDIAN ALLOTMENTS IN OKLAHOMA.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General, transmitting in response to a resolution of March 3, 1909, certain information with respect to suits instituted by the United States since May 27, 1908, against various persons in the eastern district of Oklahoma to enforce restrictions upon the alienation of lands of the allottees of the Five Civilized Tribes (S. Doc. No. 89), which was referred to the Committee on the Judiciary and ordered to be printed.

EXECUTIVE SESSION.

Mr. WARREN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

PETITIONS AND MEMORIALS.

Mr. NELSON. I present resolutions adopted by the Minnesota Bankers' Association which I ask may be printed in the RECORD, without reading, and referred to the Committee on Finance.

There being no objection, the resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

To the gentlemen of the Joint Bankers' Association of Group 1, of Minnesota, and Group 7, of Wisconsin:

Your committee appointed to prepare a resolution on a bill authorizing national banking associations to make loans on real estate security in certain cases, known as "bill S. 623," beg leave to report that while the bill might be changed to suit the needs of this particular locality, yet inasmuch as the bill is already before Congress and a suggestion of a change might further complicate its passage, and as we consider the bill allowing real estate loans under any conditions most advantageous, as it will serve to demonstrate that such loans are desirable; and

Whereas we believe the Comptroller can be influenced to give us proper recognition in this matter under the pending bill more easily than if the said bill were encumbered with many conditions: Therefore be it

Resolved, That we recommend the passage of this bill as introduced. And be it further

Resolved, That the secretary of each group be instructed to urge upon the Congressmen and Senators of their respective States the support of this bill. Be it further

Resolved, That the secretaries of these groups be instructed to send a copy of these resolutions to the secretaries of the respective state bankers' associations and request them to lay it before their committee on resolutions at the proper time.

JOSEPH BOSCHERT.

A. C. GOODING.

L. WHITMORE.

Mr. LA FOLLETTE. I present a joint resolution of the legislature of Wisconsin, which I ask may be read and referred to the Committee on Interstate Commerce.

There being no objection, the joint resolution was read and referred to the Committee on Interstate Commerce, as follows:

Joint resolution memorializing Congress to enact a law to prohibit railroads from increasing their rates and charges except upon notice.

Resolved by the assembly (the senate concurring), That the Congress of the United States is hereby requested to enact a law providing that the rates or charges of railroads shall not be increased except upon notice of any proposed increase filed with the Interstate Commerce Commission and published in each State affected thereby, and upon such hearing as the Interstate Commerce Commission may, upon petition or its own motion, order, and that no increase of rates or charges shall go into effect unless said commission shall so order after such hearing.

Resolved, That the secretary of state be, and he is hereby, instructed to forward a copy of this resolution to the President of the United States and to each Member of the Congress thereof.

L. H. BANCROFT,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

JOHN STRANGE,
President of the Senate.

F. E. ANDREWS,
Chief Clerk of the Senate.